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Abstract

Since green political values became commonplace, political participation and inclusiveness are regarded as indispensable values for democratic decision-making. This paper discusses whether participation democratizes environmental governance at transnational and global levels or is civil society participation used to legitimate problematic decisions made in a top-down fashion. First, building on Hannah Arendt's concept of political action I differentiate forms of participation based on different value systems. Then, following the historical development of participation narratives in the United Nations, I argue that participation has become increasingly instrumentalised, and used to conceal other types of institutional change based on efficiency considerations and neo-liberal values.

Participation(s) in Transnational Environmental Governance:

Green values *versus* instrumental use

1. Introduction

Participation and inclusiveness are regarded indispensable for democratic decision-making at all levels of governance. This is particularly the case in environmental governance. Across the North-South divide (Najam 2005), from local governance (Stringer et al. 2007) to transnational and global levels (Bulkeley and Mol 2003) participatory qualities are central to environmental policy evaluations, institutions, and processes. One of the main reasons for the centrality of participation to environmental decision-making is historical. The emergence of participation as a modern democratic principle is closely linked with the rise of contemporary environmental values (Inglehart 1995, Bernstein 2001, cf. Hays 2000: 22-27). Environmental NGOs and green political parties were instrumental in turning these values to specific political demands. In doing so, they have re-introduced participation to the democratic imagery, which was at the time predominantly understood as representation through elections. In the 1960s and 70s, participatory democracy was discursively linked to the other founding principles of green ideology, which are ecological wisdom, social justice, nonviolence, sustainability and respect for diversity (Global Greens Charter 2001).

Many of these movements were transnational in their outlook; different grassroots and political groups cooperated across borders (Wapner 1995, Keck and Sikkink 2004). As a result, their core values, including participatory democracy have quickly become global political demands,

finding a supportive political climate in the aftermath of the Cold War. The introduction of participation to global governance discourses began with the unprecedented civil society participation in the Rio 'Earth' Summit. After the Summit, some UN institutions acknowledged the value of civil society, and invited members to join their processes. Since then, participatory practices have become prevalent in global and transnational environmental governance, in stakeholder councils, consultations and implementation of policies. However, in global and particularly transnational sustainability governance participatory practices do not ensure democratic quality or inclusiveness (Dingwerth 2007, Stevenson 2013, Mert 2015). Participation is a democratizing practice when it empowers the political subject; but it can also function as a co-option strategy, legitimating the already existing power structures and inequalities. It has been argued that civil society participation has been instrumentalised in global environmental governance, rather than democratising it (Rose 1999, Biermann et al. 2007, Pattberg et al. 2012).

This article investigates whether participatory practices in environmental governance have democratising, empowering affects and if not, what reasons for this can be found if the last four decades of the UN's environmental governance practices are historically examined. My focus is transnational environmental governance, where democracy is imagined, institutionalised, contested, and practiced differently from local, national, and international contexts. There is no a global political system of democracy, no elections through which to hold officials accountable, and nor is there the shadow of hierarchy. This makes the role of citizens, stakeholders, and their participation central to the democratic practice. Furthermore, transnational governance is not organised around the concept of sovereignty; in fact 'ecological democracy is democracy beyond boundaries' (Dryzek 2013: 238). This has implications for pluralism and inclusiveness as green democratic values.

To do this, I study some of the less prevalent conceptions of political action and democratic participation in political theory (specifically Hannah Arendt's notion of political action, and Ernesto Laclau's post-structuralist ontology) and juxtapose these with the historical development of participatory democracy in environmental governance beyond the nation state. My goal is to provide a critique rather than to advocate a democratization model, or provide advice for policy reform to address the democratic deficit in environmental governance. This is necessary, since there have been many insightful and relevant analysis of how environmental participation can be democratized but little improvement in the democratic quality of participatory practices. In deliberative democratization literature, there are numerous examples of such analysis, from cosmopolitanism and liberal democratic traditions. Walter Baber (2004), for instance, synthesized the theories of Jürgen Habermas and John Rawls suggesting a list of institutional reforms to ensure participatory deliberation in environmental governance. More recently in their studies of climate and earth system governance Hayley Stevenson and John Dryzek detail the necessary conditions for deliberative democracy in a compelling fashion (Dryzek and Stevenson 2011, Stevenson and Dryzek 2012, 2014). Finally, and most strikingly, Karin Bäckstrand (2006a: 293) argued that new modes of governance in transnational sustainability governance could become 'viable forms of deliberative democracy [in the absence of] supranational authority,' and made suggestions for the development of this potential (also see Bäckstrand 2006b, 2010, 2012). Bäckstrand concludes in her later collaboration with Mikael Kylsäter (2014), however, that the UN used deliberative and participatory promises to legitimate partnerships while these principles were not practiced, and powerful actors kept dominating the platforms.

These contributions are not only valuable but also crucial to the study of democratic practices and legitimacy in governance institutions. Yet, these findings also indicate a lack of improvement in the deliberative and democratic qualities of transnational environmental governance processes and architecture. There is an underlying assumption in most academic literature that the demands for democratization of global environmental governance have been taken up by governance institutions and the situation is improving gradually since the 1990s. On the one hand, there has been an initial phase of increased inclusiveness in environmental governance in the aftermath of the Cold War. As a result, many authors highlight problems with and obstacles to the continuation of this trend and suggest ways to overcome them. However, I argue that the second part of this assumption is misleading and this trend did not continue in the 2000s. In an independent report commissioned by UN DESA Major Groups Programme, Barbara Adams and Lou Pingeot (2013: 14-15) note that engagement of people's movements have been decreasing since 2003 and found increased power imbalances and the inclusion of only professionals in multistakeholder dialogues. In this context, our positive associations with participation must be critically reassessed. This article aims to address this gap in literature. My argument is that participation has once been a radical concept with the potential to democratize environmental politics but has lost this radical potential later, when it has been dissociated from its earlier semiotic network in green ideology and values.

In what follows, I present a theoretical perspective based on post-structuralist discourse theory wherein participation is conceptualised in two disparate ways. From the viewpoint of the political subject, participating in environmental governance processes can be liberating and empowering by helping build new coalitions. If this is not the case, participation can hinder the demands of the political subject from being included in governance structures and simply be a

ritual. In section 3, I discuss two relevant concepts, *inclusion* and *scale*, how they were formulated in democratic theory and what they represent in the context of democratisation of environmental governance through participation. In Section 4, I present the empirical part of this analysis, and provide a historical study of the political transformation in participatory democratisation. The empirical part studies the emergence of two institutions in transnational environmental governance processes of the United Nations (UN). The first one of these institutions, the nine major groups that are involved in many UN platforms relating to the environment have emerged as a way to categorise civil society, which previously could participate in these platforms in a more restricted but more self-defined manner. The second institution of relevance is alternately called Type-II outcomes or CSD sustainability partnerships. These new governance mechanisms signify several transformations in the way participation was arranged in the aftermath of the 2002 Johannesburg Summit. The analysis section (Section 5) shows how the emergence of these new institutions have transformed the participatory spaces by reflecting on the more recent developments in transnational and global environmental governance. Here, I connect the empirical analysis with the theoretical concepts introduced earlier. The aim of this section is to ascertain how the new semiotic networks with which participation is associated influence its content and practice. In the final section, I present my conclusions.

2. Participation as freedom *versus* pseudo-activity

'With word and deed we assert ourselves into the human world. [...] This assertion is not forced

upon us by necessity, like labor, and it is not prompted by utility, like work. [Its meaning] is

independent of victory and defeat and must remain untouched by any eventual outcome, by their consequences for better or worse. [...] Action can be judged only by the criterion of greatness because it is in its nature to break through the commonly accepted and reach into the extraordinary.'

Hannah Arendt (1958: 176-205)

In *The Human Condition,* Arendt conceives *action as freedom,* which constitutes 'the political'. Human activities are separated into three: *labour,* which includes repetitive activities for sustenance; *work,* that produces enduring artefacts; and *action,* political activity par excellence, undertaken in the public sphere, among equals. These three facets of the human condition stand in an ascending hierarchy of importance: Action is 'the most *human* of all' because it is (i) possible only among others; (ii) the only realm in which one's agency is disclosed (to reveal *who* s/he is, as opposed to *what* s/he is: identity as opposed to function); (iii) the realm of freedom: 'to be free and to act are the same' (ibid). She posits that political action is only possible by participating in the public sphere, and it is what human civilization transforms itself and evolves through.

Arendt further asserts that the meaning of political action is not its outcome. Effectiveness of outcomes would be relevant to the realm of work, which aims to produce useable artefacts. Political action is about transforming the society by breaking through the commonly accepted and reaching into the extraordinary. Otherwise it is not 'great' action, which is the only criterion to assess it with. In his most recent work, titled *How to Get out of the Multiple Crisis?* Ulrich Brand (2016) applies a similar idea to the socio-ecological transformation needed to tackle the contemporary environmental crisis. From a historical-materialist perspective, he argues that 'a

crucial aporia of social ecological transformation lies in the fact that a new – sustainable, democratic, just, and free – world must be realised on the terrain of existing forms of societal (re-)production and domination, and must transcend them' (ibid: 517). He concludes that not only should the status quo be challenged by the strategies of eco-political movements, but there is also a need for creating alternatives that can subdue managerial counter-arguments. In other words, he points to the political dynamic that takes place when the dominant ideologies and institutions are contested by grassroots demands. The eco-political demands that challenged the status quo have been countered by in many ways by the dominant paradigm of ecological modernization (Hajer 1995). Managerial solutions to surface problems is one illustration of this, whereas this article concerns another example. Participatory practices were introduced to transnational environmental governance, encouraging various groups to engage in the discussions and consultations, but not in the making of the actual decisions that effect their lives, environments, and livelihoods.

This dynamic in politics is most influentially explained in Ernesto Laclau's post-Marxist political theory. For him, politics is the interplay between demands to change or maintain the existing system, between polarising forces that aim to politicise and therefore transform the status quo, and the institutionalising forces (of the hegemonic discourses, institutions and power structures). Laclau (2005) argues that populist political action aims to challenge dominant institutions and discourses in society by creating equivalence between the demands of various groups. These groups might join forces and demand to change the system. If the popular struggle is successful enough to threaten the stability of the establishment, the existing power structures try to 'explain, represent, or in other ways domesticate' these demands so that a deeper, structural change is not needed (Wæver 2005). The hegemonic discourse often responds by suggesting that some of their

demands can be represented within the existing power structures. Thus, the existing system is protected from radical change by being transformed only to a limited degree. In this process, the demands of the populist movement are connected to a new, less radical set of concepts, or a new semiotic constellation.

Majid Rahnema's (1992: 128) study of participation is an application of the same principles to development practices on the ground:

> 'Planned macro-changes [...] are more the indirect result of millions of individual micro-changes, than of voluntarist programmes and strategies from above. In fact, they often represent a co-option of the unplanned micro-changes produced by others, elsewhere. When these reach a critical mass, and appear as a threat to the dominant knowledge/power centres at the top, they are co-opted and used by their professionals as an input for planned changes, aimed at turning the potential threat posed to the top into a possible asset for it.'

In his critique of the UN's global governance regime, Rahnema argues that the participatory paradigm in global governance started with the demands of the recipient communities (of development aid) to participate in decisions as a reaction to top-down strategies of the international governance elite. When these numerous demands began to threaten the hegemony of the existing development discourse, a transformation took place and participatory practices became commonplace (Chambers 1997, Cooke and Kothari 2001). However, in this process the concept of participation has also been transmogrified, and often reduced to rituals and rhetoric (Rahnema 1992, Hailey 2001). Rahnema agrees with Laclau that bottom-up demands can be co-

opted and instrumentalised. From this point of view, participation was once political action par excellence, but it has lost this meaning in time as practices of governance reshaped the term.

His conclusions, however, are in line with Slavoj Žižek's critique of participation. Žižek (2006: 26-27) argues that in contemporary politics the urge to be active and to participate is far more dangerous than passivity. He warns against *pseudo-activity,* in which 'we are active all the time to make sure that nothing [changes]' (ibid). He recommends withdrawing into passivity and refusing to participate, so that the ground is cleared for an effective transformation of the existing power structures.

But how can political actors avoid *pseudo-activity* and select the kind of participation processes that are meaningful in the sense that Arendt regards as political action? As discussed above, in transnational and global environmental governance literature it is often argued deliberative qualities of participatory processes are critical for it to be meaningful and the increase democratic legitimacy of a process (for a detailed literature review see Bäckstrand 2006a). However, deliberative qualities of a process become apparent only after actors engage with it, and confirm their participation. In doing so the participants already provide the legitimacy that organizers of the process require, and give up their position as radical agents of change 'threatening' the dominant structures. As the empirical section (Section 4) demonstrates, this was a main turning point for the participation of civil society in transnational environmental governance. In order to better understand this development, it is necessary to problematize the relationship between inclusion and participation in democratic theory and discuss the relevance of scale.

3. 'Inclusion' and 'scale' in modern democratic imageries

Questions of political participation necessarily relate to inclusion and exclusion: Who has the power or privilege to make decisions? Who is included or excluded from citizenship or the public sphere? The ancient meaning of democracy was that the power to rule (*kratos*) rested in the people (*dêmos*), indicating a more inclusive system than its alternatives, and a relative emancipation from elitism and dicta. The immediate question that follows is, naturally, who constitutes *a people*. In fact, what differentiates modern democracy from its ancient precursors is the inclusion of most of the citizenry (especially after the abolition of both slavery and the legal subjection of women). Most of the adult population can participate in politics –*at least* through voting in the elections.

In the historical formation of nation-states (particularly after the First World War, and the following period of decolonisation), the question of who constitutes a people was a complicated matter: How were the borders to be drawn, if certain terrains did not have a 'nation' claiming to be the rightful rulers? In countless occasions 'a people' entitled to self-govern were determined by earlier colonization experiences. Robert Dahl (1989:3) argues that political philosophers deal with this problem by presupposing that 'a people' already exists, as a creation of history, even though this presupposition is problematic since nationhood is often established 'not by consent or consensus but by violence.'

If a world government is out of question, then, inclusiveness at the global level can be an attribution only of decision-making processes. Inclusiveness of a process can be defined as *the extent to which those who are affected by a decision participate in its making*. There is but one problem with the application of this definition to *global* governance: Global issues (such as

environmental problems) influence all of humanity in different ways and degrees. What are the boundaries of the citizenry that should participate in such decisions? In other words, in global governance the problem of participation/inclusion is simultaneously *a problem of scale.*

Robert Dahl (1989:4-5) makes the problem of scale central to his study of democracy, beginning with the change from the *polis* (with only a small part of society enjoying citizenship) to the nation-state (with an extensive *demos*): For him, the assumption that 'today's large-scale democracies still possess the virtues and possibilities of small-scale democracy' is limited and misleading. Here, Dahl questions whether *representative* democracy sufficiently includes all the citizenry *in qualitative terms*. In other words, direct participation of all affected citizens in decision-making is the participatory *ideal* in democratic discourses, which serves as the ultimate and unreachable fantasy. However, as decision-making at the national or global scales does not allow the participation of all, representation has long become its substitute. Critically, in case of new governance arrangements in transnational environmental politics, this representation is not an electoral but a functional one (Meadowcroft 2007, Bexell and Mörth 2010): Many of the stakeholders involved are not elected by their constituents and simply claim to have stakes in the issue. In Arendt's terms, this disqualifies them from being platforms of political action since she argues that the political sphere is distinguished by the disclosure of agency: identity rather than function, of *who* you are and not *what* you are.

Another relevant point is that the UN's inclusiveness is based on representation rather than participation: Every state is assumed to represent the ideals and the interests of its constituents. This results in a problem of democratic legitimacy in global governance, as Klaus Dingwerth explains (2007:39):

'the exclusive participation of governments is problematic where affected communities are incongruent with national constituencies. Where the interests of the domestic constituencies are heterogeneous and fall into identifiable subgroups, the view that governments can best represent the interests of their citizens is challenged. As a result, when specific interests are systematically underrepresented by national governments, other actors –such as transnational advocacy coalitions- may be better representatives of the interests of communities affected by a decision-making process.'

In global governance, only state actors have guaranteed access to negotiations, although there are also instances of state exclusion, such as the G8/20 or the G77. The UN, with the notable exception of the Security Council, applies this rule in all its global platforms. However, the democratic legitimacy of solely intergovernmental rule-making has increasingly been challenged by transnational civic movements: Their participation in and demonstrations around UN summits displayed the existence and political presence of various systematically underrepresented minorities, as Dingwerth suggests. Distributed across national borders, these minorities are unlikely to be represented by their governments at the UN platforms, even if they amount to a sizeable minority globally, with shared interests and often a general identification with one another (e.g. indigenous peoples, environmental groups, anti-capitalist activists, trade unions). Their activities in summits challenge both the legitimacy of state-based negotiations and UN's 'global' and 'inclusive' self-image.

To account for these challenges, Dingwerth (ibid) includes *scope of participation* (how participants and constituencies are defined), *quality of participation* (how different constituencies access different modes of participation or representation), and *discursive balance* (how the dominant discourse shapes the decision-making process, and if alternative discourses

can play a part) among conceptual dimensions of democratic legitimacy. Massive protests that take place during the intergovernmental summits and 'alternative summits' that take place simultaneously challenge the democratic legitimacy of the on-going negotiation platforms on all these three dimensions. By their mere presence, the protesters and the participants to the external/alternative events challenge the *scope* of the participation. Civil society participants that participate in the actual summit point to the limits of and challenge the *quality* of participation. The positions of these two groups (and other civil society that might not be physically present) substantiate the existence of alternative discourses which are absent in the negotiation platforms, thus highlighting *discursive imbalance*.

The transnational turn in global governance (Jönsson and Tallberg 2010) was, to some extent, a response to these legitimacy problems in *international* decision-making. From a historical viewpoint, this is in line with the century-long trend of delegating policy functions to transnational actors (Green 2010). Their inclusion as well as the emergence of transnational governance mechanisms such as partnerships, were geared towards and legitimated by the necessity of addressing the participation deficit (Haas 2004, Bäckstrand 2006a). These developments took place despite the lack of powerful political imageries comprising *a global demos* (cf. Agné 2010). This was not always the case, which is the focus of the next section.

4. **Instrumentalisation and institutionalisation of civil political action in environmental governance**

In a 2004 article, Tony Hill, the coordinator of UN's Non-Governmental Liaison Service, wrote that the first major change in UN-civil society relations was the result of the unforeseen participation of civil society in the 1992 Rio Earth Summit. This was a moment of 'great action'

in Arendt's terms with 2,400 NGO representatives and 17,000 individuals attending the conference and/or the simultaneous NGO Global Forum with a consultative status. This unprecedented, massive participation of civil society momentarily put environmental issues at the top of the global agenda.

According to Hill, the first generation of UN-civil society relations, lasting up to the end of the Cold War, was formal and ceremonial rather than political in nature, involving international professional associations. The participation of NGOs in the Rio Summit was 'essentially political and reflect[ed their motivation] to engage with the UN as part of the institutional architecture of global governance' (ibid). In response, the UN for the first time addressed the role of all social groups for achieving an international goal, and at the end of the Rio Conference requested their input. Furthermore, a working group was established under the ECOSOC to review civil society relations. In the end, it was decided that (1) the UN would opened consultative status to national NGOs and (2) the civil society would be categorised into nine major groups. When the UN invited the civil society, *national* NGOs could apply for a consultative status. This meant that they would participate in the *national* decision-making (if allowed by their governments) and/or implementation of inter-governmental decisions. As problematic as it sounds, this was a recognition of the civil society participation.

The second decision, however, was more critical. Agenda 21 compartmentalised the civil society into nine groups (women, indigenous peoples, workers and trade unions, children and youth, business and industry, farmers, local authorities, NGOs, scientific and technological community), specified the role of each group, and discussed how people should be mobilized for these roles. In this process, business and industry was officially invited as participants and groups with fundamentally different political aims were merged under the same umbrella.

In Dingwerth's terms, the formation of major groups is an act to re-establish discursive balance. Alternative discourses were acknowledged and some of their components were included in the Rio documents. However, the political character of these actions was ignored and merged with the greater, more general and less radical goal of sustainable development. After this moment, the participation of civil society was no longer a spontaneous result of their actions. Their plural and at times conflicting demands were now merged under the term 'the nine major groups', suggesting they were a coherent body.

Furthermore, Agenda 21 narrated civil society participation in purely functional terms:

> '[participation of all social groups is] critical to the effective implementation of the objectives, policies and mechanisms [governments] agreed [...]. One of the fundamental prerequisites for the achievement of sustainable development is broad public participation in decision-making' (UN 1992).

This appears as a contradiction in terms: The civil society is invited to participate in the decision-making, although the decisions are already made by governments. It is, in fact, a double operation. First, it is suggested that intergovernmental decisions are globally accepted ideals, and can only be successfully implemented if all social groups commit to them. Hence, the myth of representation (of all citizens based on national sovereignty) is reiterated. Secondly, the role of civil society groups is limited to implementation: Later in Agenda 21 civic participation is detailed as 'participating in environmental impact assessment procedures and to know [about decisions affecting their communities]' (ibid). This statement does not entail participation in global decision-making, but to policy processes at national and local levels, and even then the governments would decide the scope of participation in their respective countries. From this

viewpoint, Agenda 21 does not make two conflicting statements, but only affirms UN's sovereignty-based decision-making model.

At this point, the civil society groups were necessary for a goal to be achieved, not the reason for their existence. Their polarising force was transformed into a means to achieve sustainable development, a goal they did not set themselves. They were re-defined and categorised mostly on the basis of their economic functions, rather than their political identities and ideological positions. Their publicness and social values were reduced to economic criteria in line with the 'efficiency principle of neoliberal market discipline' (Bexell and Mörth, 2010:16).

Tony Hill (2004) describes a third generation of UN-Civil Society relations emerging with the Type-II outcomes of the 2002 World Summit on Sustainable Development (WSSD) (Type-I outcomes were the international treaties). He recognizes that this process raised questions on 'the role of the UN as a broker of partnerships, the future of multilateralism as a form of global governance and the future of the UN's relations with [...] NGOs, many of whom view these latest developments with scepticism, to say the least' (ibid). Yet, it also transformed the UN from being an inter-governmental platform to one that 'brings together the political power of governments, the economic power of the corporate sector, and the 'public opinion' power of civil society [...] as participants in the global policy dialogue' (ibid).

This 'win-win narrative' was contested by major groups in their 2004 statement titled *CSD-12: Historic Statement by 9 Major Groups,* finding both the scope and the quality of their participation unsatisfactory. While appearing open to their opinions, the major groups argued, the Chair of the recent CSD sessions and the secretariat in fact 'failed to sufficiently prioritize issues of concern;' their discussion papers received little attention, and they did not feel 'that

they played a significant role in this process' (SDIN 2004). They highlighted the need for more participation in various platforms, and ground rules to ensure meaningful participation.

The win-win framing of partnerships is problematic for numerous reasons. It suggests cooperation and division of labour whereas different partners often have different goals (Zammit 2003). Furthermore, it equates effectiveness to reducing transaction costs, and uses an economic definition to legitimate a political model. Accordingly, Hill (2004) invites the civil society to 'invest its 'public opinion' power in UN fora both to influence and empower governments and [counteract] the private sector.' This suggests that the civil society aims at countering the power of corporations, although many NGOs have no such goal; that governments need empowering against corporations, which requires substantiation. Most UN technocrats regard major groups as a bloc of NGOs with different priorities but with the general goal of opposing corporate power. This categorisation is employed often and it can be understood as a coping mechanism with the complexity of civil society's demands. It is however an oversimplified conception of civil society. Aware of these dimensions, business groups fund various pro-business NGOs to register with the UN (Mert 2015).

Secondly, he notes that the international community accepted that good governance 'demands the participation of […] civil society, *and* representatives of the private economy' (ibid). Paradoxically, the only way to counter corporate power is through cooperating with corporations, and accepting their inclusion. The win-win narrative gains a new meaning when juxtaposed to this background. Whenever the civil society expands its participation in the operations of the UN, equal treatment applies to corporations as the 'third pillar' of liberal democracies.

This was especially the case during the negotiation of WSSD partnerships, resulting in two crucial and illustrative changes regarding participation: The function of partnerships was restricted to implementation, limiting their participation of non-state actors to implementation projects. Secondly, the narrative of participation has changed from 'participation of all social groups', to 'participation of stakeholders' completing the sedimentation of major groups into the UN architecture (Mert 2009, 2013).

The concept of 'partnership' in the context of sustainable development first appears at the end of the Rio Summit, as a means to ensure the involvement of the civil society in decision-making and policy implementation. Agenda 21 (UN 1992) explicitly defined NGOs as 'partners for sustainable development,' and qualified their participation as a democratising value. This emphasis on civic participation in decision-making, and the democratic value of such participation disappeared in the documents of 2002. At the end of the negotiations, multi-stakeholder partnerships were defined as 'specific commitments by various partners intended to contribute to and reinforce the *implementation* of the outcomes of intergovernmental negotiations of the WSSD and to help the *further implementation* of Agenda 21 and the MDGs' (UN 2002).

One reason for this change was the reluctance of state actors to share authority and include civil society in the UN platforms. A DESA member (personal communication) reflected:

> 'After 1990s, NGOs were getting more [finances and] were the most trusted institutions. Some governments did not appreciate this [and they] limited the whole participatory spirit which defined CSD since '92. Before, whatever musing was taking place in CSD was slowly adopted by other commissions. [Recently] they became exclusive to CSD.'

19

Conceptualising the Type-II outcomes as implementation mechanisms alleviated the concerns of these government: If partnerships were implementing inter-governmentally agreed decisions, they could be no threat to national sovereignty. If any non-state actor challenged the authority of a nation-state or touched upon sensitive issues, the state actor would have the upper hand since they never actually agreed to any partnership registered *after* the WSSD.

A second set of reasons relate to perceptions on specific non-state actors: On the one hand, 'inclusion of *all* social groups' was the participatory myth of democratic governance in the emergent UN system. On the other hand, contestations began to emerge in the process of negotiating which specific major groups will enjoy inclusion. First, business involvement was questioned by some developing countries and NGOs, as well as trade unions, due to their unenforced transparency procedures and lack of democratic accountability (Mert 2009, 2015). Secondly some national delegations were reluctant to include NGOs and indigenous peoples in the decision-making process even on paper, as these groups were understood as a threat to their sovereignty (Mert 2009). Two criteria were proposed to alleviate the concerns about business involvement: a code of conduct and a strict commitment to corporate social responsibility. In the end, both were turned down and concerns over the inclusion of business actors remained largely unresolved.

5. **Analysis: Participation as inclusion, participation as exclusion**

What happened, then, to the democratic ideal of participation and inclusion, once transnational sustainability partnerships were negotiated as implementation mechanisms? According to the Secretary-General's 2001 report, there were 'geographical imbalances in participation at the

international level, growing dependence on mainstream major groups as intermediaries, the need for further work on setting accountable and transparent participation mechanisms, lack of meaningful participation in decision-making processes, and lack of reliable funding' (UN 2001). Five years after the WSSD partnerships did not alleviate the impediments against major group participation. Of all partnerships registered with the CSD, less than 1% of all partnering organisations were from five major groups (farmers, workers, indigenous peoples, women, and youth) and 4% of all partnerships include any of them (UNCSD 2008). More institutionalised major groups are represented in more partnerships and by a higher number of partners (epistemic communities comprise 8% of the partners, business and industry 11%, and NGOs 18%) while governments make up 28% and intergovernmental organisations make up 17% of all partners (ibid.). In other words, major group participation remained limited to institutionalised actors, whereas traditionally vulnerable and underrepresented groups did not become partners.

The exception to this were the workers and trade unions. While being one of the most organised and institutionalised major groups, they do not take part in many partnerships. This is because unions regard partnerships as a way to disempower workers (Ottaway 2001). Their account of partnerships is not one of win-win situations, but a zero-sum game: The role unions assumed *vis-à-vis* corporations has been one of conflict rather than cooperation. When they bargained on issues such as wages or working conditions, the gain of one was the net loss of the other. Union representatives insisted that partnerships were 'a corporate vocabulary' and openly refused to participate (Mert 2009).

While business supported and unions opposed partnerships, there were a number of relative gains: Diane Quarless (personal communication), co-chair of partnership negotiations notes that partnerships gave the NGOs 'the recognition they didn't have before, and legitimised their

participation' in governance. Less institutionalised groups, such as women, or indigenous peoples would neither benefit from UN-level recognition, nor were partnerships the way they operate. Their demand to participate at the UN is neither a project-based issue, nor a problem to be solved. Many of their demands cannot be reduced to 'interests,' and they represent a number of different constituents. Their demands cannot be fulfilled through partnering in projects, but only by their continuous political participation. For groups influenced by UN's decisions but had little interest or *stakes* in gaining recognition, partnership was merely a new way of being excluded.

Rahnema (1992:116) differentiates the transitive and intransitive forms of the word 'participation': the *transitive* form signifies goal-oriented participation, mediated, if not manipulative, wherein people are 'dragged into partaking in operations of no interest to them.' The *intransitive* form means partaking in the course of daily life, spontaneously and with no particular objective. Thus, he deconstructs the assumption that traditional societies are not participatory, and points to the various ways in which the oppressed participate, resist, or exert power. By being repetitively invited to participate (in the transitive sense) in a structure that does not allow for their participation (in the intransitive sense), most major groups have been socially and politically excluded from processes that they have 'stakes' in. By not taking part in partnerships, these major groups refrain from engaging in pseudo-activity in a process they cannot stop, or influence in a meaningful way. The next section shows, however, that this first step is insufficient to clear the ground for effectively transforming the distribution of power.

When the Rio+20 Summit took place in 2012, an expressed commitment to voluntary initiatives was the only result other than a non-binding outcome document. The voluntary commitments initiated during the Summit were regarded as '[possibly] the most remarkable outcome of

Rio+20' (ICLEI 2012). The Rio+20 Conference Secretary, Sha Zukang, underscored that these partnerships were the embodiment of the Summit's focus on implementation and concrete action (UNCSD 2012).

Even when the sustainability agenda was mainstreamed across the civil society, the voluntary commitments failed to address the implementation deficit, and the contribution of business community remained marginal. At the time of Rio+20 it was established that voluntary commitments under the CSD and the Global Compact lacked public scrutiny, orchestration, democratic accountability and transparency (Pattberg et al. 2012). There were no demands from the civil society or epistemic communities to add similar initiatives to the existing portfolio at Rio+20 (Pattberg and Mert 2013), yet, they were added to 2030 Action Agenda as the final and all-encompassing SDG 17: *To strengthen the means of implementation and revitalize the global partnership for sustainable development*. However, neither the CSD nor the UNEP were upgraded into a specialized agency, as proposed in the preparatory process.

Finally, the creation of a 'high-level political forum' to provide political leadership, execute dialogues, develop implementation agendas and mechanisms addressing 'emerging sustainable development challenges' (UN 2012) received widespread criticism. The *Stakeholder Forum* argued that the mechanism had no place in the political hierarchy of the UN or a political designation with a mandate, and in general the Rio+20 Outcome Document paid little attention to the demands of the major groups (Strandenaes 2012).

In sum, civil society's demands for more participation in global and transnational environmental governance resulted in limited success. In Laclau's terms, the 1992 Rio Summit revealed the logic of equivalence, where previously underrepresented groups made democratically demanded

participation and sustainability. At this point, participation in environmental governance was at once a popular demand (in Laclau), political action par excellence (in Arendt), and spontaneous resistance (in Rahnema). As this article documented, the radical potential of civil society was domesticated (to use Wæver's term) during the two decades of governance practices that followed. The civil society that could articulate its demands within the UN discourses have become a part of the major groups, whereas radical demands were marginalised. Furthermore, the rhetoric of stakeholder participation in fact masked other transformations that took place simultaneously. At the UN level, the inclusion of civil society brought with it the legitimation of business and industry participation despite the already powerful lobbying activities of these actors. At the project level, there were very few stakeholders from the most vulnerable and underrepresented social groups whereas more institutionalised and powerful groups were often present as partners. Globally, hybrid governance mechanisms were justified largely because of their participatory promise, whereas their goals were often delegating responsibility to non-state actors. Support for these new governance mechanisms has never been dependent on their success in democratising governance.

The importance of civil society participation in environmental politics was being repeatedly highlighted in the texts that brought about these changes. This should not be dismissed as mere rhetoric; as Arendt (1958: 200) suggests, it is of great importance that the dynamics of political action is not lost:

'Power cannot be stored up and kept in reserve for emergencies, like the instruments of violence, but exists only in its actualization. Where power is not actualised, it passes away. [...] Power is actualised only where word and deed have not parted company, where words are not empty and deeds not brutal, where words are not used to veil

intentions but to disclose realities, and deeds are not used to violate and destroy but to establish relations and create new realities.'

Arendt calls this characteristic of power its potentiality: Acting together individuals actualise the power that keeps the public sphere together. Only then (before they institutionalise and subsume disagreements) words disclose reality and deed creates it anew: Action precedes institutionalisation. Afterwards, rhetoric takes over; word and deed 'part company'. At this point, Laclauian political dynamics are revealed: When word and action is one, the words disclose reality; political demands are articulated. Through political action different demands conjoin in a chain of equivalence, and form bigger collectives. Once co-option and institutionalisation takes place, the dynamics change and the words are used to veil intentions. This does not suggest that these documents are intentionally misleading. Nevertheless the process of institutionalisation necessarily demotes the radical political dimension of collective action. Institutions change (become more inclusive) so that the deeper structures of the system stay the same.

6. Conclusion

To answer the main question I posed at the introduction, (how has the radical democratic ideal of citizen participation been imagined, contested, and pacified in global and transnational environmental governance?) I examined the UN's participatory governance regime in environmental governance and juxtaposed it to the traditions in political theory that regard participation as a democratic ideal. This analysis showed a number of transformations, at the end of which the semiotic network with which the concept of participation belonged was no longer that of green values (with emphases on pluralism, ecological wisdom, social justice and nonviolence). In this articulation, participation is arranged differently, representing a number of

identities across the global, with its focus on justice and pluralism. These identities can range from democratic protests movements to climate justice activists, from feminists to anti-capitalist and anti-nuclear movements as it was in the 1980s. Demanding citizen participation in global environmental politics and connecting this narrative to those of pacifism, non-violence, and ecological wisdom would also require different participatory practices and more radical sustainability policies than those of the UN. When its goal is to enhance policy effectiveness and implementation, however, participation ceases to be emancipatory and democratizing.

It can therefore be concluded that different normative and discursive contexts are critical to the way participation is interpreted and transformed into practices and institutions. If the civil society was emancipated and empowered by participating in the governance processes, this could be regarded a democratizing practice. When it was dissociated from the principles of green ideology and ecological democracy, participation took nominal rather than democratic forms in global/transnational environmental governance. As a result, participation functioned as a co-option strategy, legitimating the already existing power structures and inequalities.

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