Multi-Level Climate Governance: Strategic Selectivities in International Politics

Achim Brunnengräber

Abstract This chapter deals with the challenge of policy definition, cooperation and coordination in a complex system of multi-level governance faced by decision-makers in international politics today, using the example of international climate governance. The practical, as well as the analytical challenge, of said system of multi-level governance lies in its dynamic structure, which includes the vertical (i.e. domestic and foreign; subnational, national, and international) and horizontal levels (structure of decision-making processes in international institutions) of international politics, the participation of non-state actors, and the interlinkages and interdependencies between all policy fields and levels involved. More often than not, intentions and interests on the different levels are disparate and difficult to harmonise, which can result in less than ideal policy strategies, are likely to "get lost" in the multi-level governance system. International climate governance and the difficulties with institutionalising an all-encompassing climate protection strategy can be seen as an example of a policy field that is "lost in multi-level governance." This will be illustrated in the following chapter by analysing five dimensions of climate governance and how they hamper successful climate governance—and thus climate protection—at the international level.

Keywords: Climate governance · Multi-level governance · Energy security · Neo-liberalism · Fossilism

A. Brunnengräber (✉)
Institute for Political Science, Technical University of Dresden, Dresden, Germany
e-mail: Achim.Brunnengraeber@tu-dresden.de

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1 Introduction

Despite the Kyoto Protocol and the climate protection measures it contains, an international breakthrough towards far-reaching climate protection measures has not yet been achieved. Key emission countries still refuse to participate, and the adopted targets and market-based mechanisms have made it less successful than it was envisaged to be. And despite the numerous scientific studies on the dramatic effects of climate change, despite the attention of the public and the media, and regardless of all the ecological moral appeals for countermeasures, the situation has worsened rather than improved in recent years (UNDP 2007/2008). This has been accompanied by clear tendencies towards re-nationalisation. As a consequence, the international climate negotiations as the central location of environmental multilateralism have decreased in importance. Because the world community in the foreseeable future, however, will have neither other institutions nor alternative solution instruments at its disposal, the slow pace of the negotiations and the inadequate application of measures is criticised, but attention is concentrated on adherence to the Kyoto Protocol and its further development in the period after 2012. After all, the process of establishing this agreement in the chorus of the international community—and also of defending it against all the attempts to politically dismantle it, which have accompanied climate policy ever since the first climate conference in 1995 (Conference of the Parties, COP)—was protracted and beset with conflict enough. In view of this, a new beginning or a fundamental reform of the agreement is not a political option.

This does not suffice, however, to explain the re-nationalisation and the fundamental problems that have characterised the climate negotiations in recent years. Why is the basic consensus of the international community so fragile despite the effects of climate change and the existence of the Kyoto Protocol, which is binding in international law? Why do national interests increasingly define the climate policy field of conflict? In order to answer these questions it is not enough, we shall argue in this chapter, simply to look at the international climate negotiations and at climate governance. The analysis of "climate as a field of conflict" must examine other dimensions. In particular, the blindness to power, of which governance research was accused early on (Mayntz 1993, 2005, cf. also Grande 2009), must be overcome. This requires that climate policy interests are placed in relation to politico-economic interests and, in particular, to the situation in the world fossil energy market, to the dominant ideology of neo-liberalism and to the specific societal relationships with nature (Brunnengräber 2006). Only the bringing together of these dimensions within the framework of a multi-level governance analysis[1] can explain why international climate policy in the foreseeable future will

[1] There is neither a clear definition nor a general typology of multi-level governance. There is also no theory which can explain the structural characteristics, functioning or effect of multi-level governance (Benz 2007). Despite this, the discussion of the concept in the social sciences is continually increasing. For a proposal regarding the construction of a theory, see Scharpf (2001).

take second place to the priority of national competitiveness and national location policy.

This chapter will deal to a lesser extent with the empirical aspects of international climate policy (that has been done in detail elsewhere, cf. Brunnengräber et al. 2008b; Brunnengräber 2009) but, rather, with fundamental considerations. Central dimensions of the closely interwoven multi-level governance processes and structures will be elucidated and the necessity of an integrative analysis of the climate regime explained. This chapter will thus focus more strongly on interdependencies and interactions between the different governance dimensions in order to illustrate why climate change does not represent a classical environmental problem that could be regulated in specific fields of policy by state actors. Climate change is characterised, rather, by considerable interest-led governance interdependencies, which counteract successful regulation. This approach not only examines the different functional logics of national and international policy, of politico-economic systems of regulation and relationships of power, which would be ignored by a strict orientation towards negotiations and the set of regulations of the climate regime, but also illustrates the contradictions and incompatibilities of climate policy regulations vis-à-vis other international institutions.

Five dimensions of governance will be examined below. The first dimension places the international climate negotiations between multilateralism and re-nationalisation as well as in the context of the world market. Cooperation, conflicts and the diverse strategies within the international community are examined, as are the reasons for counter-movements by individual states. The second governance dimension is the output side of the fossil energy system. It is shown that attempts to solve the problem deal only with harmful emissions. This is characterised as strategic selectivity. The third governance dimension relates to the real-economy side of the fossil energy system, i.e. the input side of the economy. It is argued that climate policy finds itself in the shadow of the hierarchy and is always further down the line than fossil energy policy. Fourthly, the special characteristics of societal relationships with nature are put in the context of climate change in order to explain why the perception of the problem and its interpretation are preconditions for the specific national and international regulation of the problem. The neo-liberal system of regulation is identified as the fifth and final dimension, and the peculiarities of the political economy of the climate are examined. The neo-liberal discourse is regarded as a central frame of reference for international climate policy and as a form of "meta-governance." Finally, an overview and estimation of the governance interdependencies is presented from which the outlines of multi-level governance can be derived.

(Footnote 1 continued)
On the problem of the transferability of the concept that stems from European research to a global context and the potential which the concept possesses, see Brunnengräber et al.'s anthology (Brunnengräber et al. 2008aa). For a first approach to multi-level climate governance and the basis for this article, see Brunnengräber (2007).

2 From Multilateralism to Re-Nationalisation

The first World Climate Conference in Geneva in 1979 is regarded as the starting-point of international climate policy. Climate policy was not institutionalised until 15 years later, however, at the Conference on Environment and Development in Rio de Janeiro in 1992. The United Nations Framework Convention on Climate Change (UNFCCC), which came into force in 1994, was signed there. This was followed by the first Conference of the Parties (COP) in 1995 in Berlin. Since then, the climate conferences have taken place annually. Up to the present, three phases of regulation can be identified. The *first phase* can be described as the consolidation of international climate policy, and covers the years from 1992 to 1997. The third COP in Kyoto, in particular, is regarded as a symbol for the international community that the climate should be dealt with by a multilateral set of regulations. Following this agreement, in 1997, the *second phase* began, which can also be described as an in-between phase. In the years 1997–2005, greater attention was paid, on the one hand, to the concerns of the developing countries, and, on the other hand, it was hoped that the Kyoto Protocol would come into force. This did not happen until 16 February 2005. That same year, the *third phase* began, the implementation phase of climate policy, a phase, which continues up to the present and is fraught with considerable difficulties.

The agreement, in contrast to the ozone regime, is hardly a good example of international problem-solving; the interests involved were, and are, too contradictory. Because the initial situation in the industrialised countries with regard to the strength of their economies varied widely, different reduction objectives were formulated for individual countries or country groups. At the same time, flexible instruments were defined, which did not fundamentally curtail national governments' and economies' room for manoeuvre. This is shown, in particular, by the fact that the reduction objectives are not to be achieved in absolute values, but are calculated via the certificate trade within the framework of the emissions trading system, via trade within the framework of the clean development mechanism (CDM) or via sink projects (Altvater and Brunnengräber 2008). This leads to a considerable loss of trust on the part of the developing and emerging countries which, because of the inadequate preliminary achievements of the industrialised countries, do not wish to make any reduction commitments themselves.

Against this background, international climate policy can be seen from a realistic perspective as a domain of international relationships in which the states attempt to push through their own individual interests in the handling of the global problem of climate change. In the final analysis, national interests and preferences, e.g. in transport, industrial and energy policy, dominate the international negotiations and the climate strategies of the various countries. Of course, changes in national or supra-state preferences do take place. The European Union (EU)—just like Germany—for a long time spoke out against emissions trading as an instrument of climate protection, in contrast to the USA. Today it is regarded as historical irony that the USA has not ratified the Protocol and the EU has introduced

emissions trading. But that does not mean that climate change leads to a significant loss of decision-making power on the part of national governments. Rather, the flexible instruments are integrated into national policy in a complex—and increasingly opaque—way, without leading to a reduction of the pollutant greenhouse gases or to extensive structural changes (Hallström et al. 2006).

The internal problems had been known for a long time, but were always dismissed as teething troubles that could be overcome. The fact that the Kyoto Protocol, in contrast to what would be expected from environmental multilateralism, had already been systematically pervaded by national interests was rarely mentioned. The COPs in Copenhagen (2009) and Cancún (2010) represented a turning point in international climate policy because the problems regarding the implementation of the Kyoto mechanisms and the fragility of the cooperation in the international community became obvious. Never before had the limits to the functioning of a multilateral climate policy aimed at consensus been so clear as in these tough negotiations which failed to achieve results (Altvater and Brunnengräber 2011). The insoluble conflicts of interest for which Copenhagen and Cancún will remain in our memories were caused, however, not by the adversities of the climate negotiations themselves, which had become much too complex, but by at least three external "effects" which together are an indication of the re-nationalisation of climate policy.

2.1 The BRIC States

The upsurge of the BRIC states—Brazil, Russia, India and China—in the world economy has considerable consequences for the conflict terrain of climate policy. Above all, India and China, with 40 % of the world's population, have long since stepped out of the shadow of Europe, Japan and the USA, and are now powerful negotiation partners (Flavin and Gardner 2006). The expansion of the G8 to the G20 in the course of the financial markets crisis is only one political sign of this development, albeit a clear one. Another is the effect on climate change: growth in the BRIC states leads to an increased demand for fossil fuels and, via their combustion, to a global increase in greenhouse gases. When the industrial countries now demand that the emerging economies should also make a contribution to climate protection, this appears to be more than justified. From a realistic perspective, however, it can also be interpreted as putting self-assertion in the foreground. After all, if the industrial countries implement expensive climate protection measures and the BRIC states are exempted from these, then the industrial countries are threatened with national competitive disadvantages and the questioning of their economic power basis. For the BRIC states, on the other hand, it would be disadvantageous if they were unable to use cheap, fossil fuels in the phase of their economic advancement, just as the industrial countries did.

2.2 The Financial Market Crisis

In 2008, the financial market crisis erupted—and as a result the economic crisis—and brought with it considerable consequences for the climate negotiations. For one thing, the BRIC states were hit to a lesser extent by the crisis. At the climate negotiations in Copenhagen in 2009, and even more clearly in Cancún in 2010, they were more self-confident and more demanding than ever before. With certain justification, they made accusations against the industrial countries, the great majority of which find it difficult to fulfil in absolute terms the reduction targets of the Kyoto Protocol, which they themselves had set. For another, it became clear that in times of crisis, the readiness to make financial transfers to developing countries and the readiness to accept climate policy regulations, which could possibly hinder fresh growth impulses, is less than low. The industrial countries' outlay of billions for economic packages, rescue operations, and stability measures for their own national banking and business sectors also meant that there is presently little room for manoeuvre for specific financial concessions.

2.3 The Position of the USA

From 2001 at the latest, due to the critical position of the Bush government at that time, the USA has acted as a brake on the climate negotiations. With the change of government in 2008/2009, and the new enthusiasm which US President Obama and the Democrats brought with them, especially regarding climate policy, hopes arose initially that a breakthrough could be achieved in the international climate negotiations. It became obvious early on, however, that the law on climate, the *American Clean Energy and Security Act*, which was put before the House of Representatives at the beginning of 2009, would have no chance of surviving in Congress. Following the mid-term elections in 2010 and the new majority in the House of Representatives, as well as the new distribution of seats in the Senate, it is out of the question that the Clean Energy and Security Act in its present form will survive the political process and be passed. The brief, supposedly climate-friendly period, which began with the accession to office of the Obama administration, came to an end all too quickly.

3 Flexibility in Global Competition

The trend in emissions reflects, so to speak, these new international relationships of power and interests. The objective of the Kyoto Protocol is the reduction of greenhouse gas emissions by 5.2 % by 2012 compared to the base year, 1990. The formulation of this objective is aimed at the *output* side of the fossil energy regime

and not, as we shall expound below, at the *input* side, i.e. the fossil fuels. In the international climate negotiations, the focus is not on the reduction of the absolute use of fossil fuels, but on the reduction of emissions. It was the achievement of this strategic selection which created the conditions necessary for the adoption of the Kyoto Protocol and the debates on technological solutions, such as efficiency strategies and sequestration (CCS, Carbon Capture and Storage).

The central elements of the Kyoto Protocol are primarily emissions trading, a specific form of which has been applied *de jure* in the Member States of the European Union since 1 January 2005, through the CDM and *Joint Implementation* (JI). None of these instruments has a direct effect on the consumption of the fossil fuels oil, gas or coal. Nor is the promotion of renewable energies a specific objective of emissions trade (Schüle 2008). Furthermore, certain sectors such as transport and private households have been largely exempted from the European emissions trading scheme. That was necessary to prevent incalculable "risks" in emission reduction (due, for example, to higher growth rates, delays in the application of technological solutions and inadequate efficiency strategies). But that was not the only reason. The creation of an *output* regime also reduces the conflicts which the problem of climate change would have caused in relation to other regimes in international trade and financial market policy (on the relationship of climate policy to the World Trade Organisation (WTO) see, for example, Santarius et al. 2003). This strategic selectivity in dealing with the problem, which was due to politico-economic interests, was enough to show not only that climate policy was a low-priority policy area (with minor changes since 2009/2010 in the debate on the Green New Deal), but also that it was already designed as such in the organisation of the proceedings.

At the present time, the emission of greenhouse gases continues to increase, together with the growing worldwide consumption of fossil fuels (see below). There are considerable differences between countries, however (for more details, see Ziesing 2010). Whereas Germany and the UK have already achieved their reduction objectives, many other industrial countries are nowhere near to this. India and China play a central role. If they follow the fossilistic development model of the industrial countries, this would lead to a dramatic acceleration of the greenhouse effect. In contrast, the emissions of most of the Latin American and African countries are relatively low, corresponding to their low economic output. The historical responsibility for high emissions in the industrial countries and the (attempted) economic catch-up process in the developing countries—with increasing emissions on both sides—not only points to the existing injustice of global relationships, however, which it has also proved impossible to remove in other areas: social, ecological and economic. It also makes clear why the mechanisms of the Kyoto Protocol have to be flexible enough for them to be accepted by both private enterprise and the individual states. Otherwise, there is the threat of disadvantages in global locational competition.

4 Climate Policy in the Shadow of Energy Security

Locational competition is dependent to a considerable extent on the availability of cheap raw materials, particularly fossil fuels. The forecasts of future demand for fossil fuels and worldwide energy requirements, which are growing rapidly by 1.8 % per annum, or up to 50 %(!) by the year 2030 (compared to 2005), also do not indicate in any way a transformation of the dominant energy system in the near future (IEA 2010). Even if the G8 governments kept their promises regarding the saving of energy and the development of new technologies in the field of renewable energy, which they repeatedly make at their summit meetings, consumption will still have grown by 37 % by 2030. For decades, the share of fossil fuels in the production of energy worldwide has stood at over 80 %, and in 2030 it will even, according to the forecasts of the European Commission, be at 88 %, of which oil, at 34 %, will still have the greatest share. Demand for gas and coal will also increase rapidly, however: gas consumption, particularly for the production of electricity and heating, will increase worldwide by 2–3 % per year and the consumption of coal will grow by 2–2.5 % up to 2030 (European Commission 2003; IEA 2010).

Although this increase would have dramatic effects on the growth rates of greenhouse gases, the real problem lies in the availability of, i.e. access to, and the security of the remaining resources of fossil fuels. Distributional conflicts are already taking place. They are the reason for the geo-strategies and wars over oil and the military presence of the Western world in the oil-exporting countries, which is planned long term. In the foreign policy of the USA, but also in that of the EU, the security of energy supplies has a higher priority than climate protection, especially as the supply of the industrial countries' own resources is decreasing and energy consumption is growing (Altvater and Mahnkopf 2007). Western countries pay considerably more attention to the military securing and control of access to oil than they do to climate protection. Instead of producing a secure supply situation, however, there are permanent supply uncertainties, due not least to uncertainties in the financial centres in which there is speculation over raw materials and the occurrence of scarcities. The consequence of this is that national competition on the world fossil energy market is continuously increasing while, at the same time, the price level remains high over a long period.

The price level is, however, just as decisive for the development of a country as the available quantity. Here, we have to differentiate between two groups of countries. Oil-exporting countries and oil companies profit from increasing prices. They have less interest in another energy path than the fossil one. At the same time, in the import-dependent emerging and industrial countries there is a re-orientation of energy policy towards more climate protection, the importance of which is primarily symbolic-discursive. Thus, the construction of new atomic power stations, or longer operating times of existing power plants, are presented as part of a forward-looking climate strategy. Coal-fired power stations (and the subsidising of them) are regarded as necessary for independence from oil imports. This makes the CCS technology so important, without which the coal-fired power

stations are harmful emission centrifuges. The transport routes via ships and pipelines are diversified primarily in order to improve the supply situation with regard to gas, which is less harmful to the climate than oil. Of course, renewable energies are also already part of this strategic energy mix today and they will continue their triumphant advance, but according to all the forecasts, their share in relation to coal, gas and oil will remain low. Their share in total energy consumption will be largely compensated for by the forecast growth rates of the fossil fuels unless more fundamental steps towards a low-carbon energy system are taken. The EU Commission estimates the increase in the share of renewable energy in total energy consumption by the year 2030 to be just 8 % (European Commission 2003).

In order to achieve the Kyoto objective, the *input* side of the consumption of coal, gas and oil—in other words, the *lubricant* which keeps the capitalist system functioning—would now have to be dramatically reduced. The extraction and supply side would therefore be crucial. The forecasts of future global energy requirements and the geo-strategies of the Western world to secure its requirements make it plain, however, that the abandonment of the fossilistic growth path is hardly likely. The inherited structures, forces opposed to change and the specific interests of the fossil energy system are responsible for the fact that international climate policy takes place in the shadow of energy security. That is why in the USA, as in many other Western countries, the reaction to climate change is the one we know. The main political focus is not preventative climate protection in order to avoid emissions, but the political or, if necessary, military securing of access to the resources while at the same time adjusting to the effects of climate change (on this, see the study for the BMBF 2010).[2]

5 Climate Change, Nature and Society

How climate change is politically and economically regulated always depends on the interpretation of the problem. These changes—the "interpretation" of climate change—is increasingly being transferred from the global to the individual national levels of action. When the international climate negotiations began, the situation was different. Climate change was described as a global environmental problem and as the central problem of humanity, which was to be conquered "in the century of the environment" (Weizsäcker 1999). This limited the perception of climate change in two ways. First, climate change became a classical, policy field-specific problem, which was to be solved using the tried and tested instruments of environmental policy. Second, the approach to the problem was conceptualised as

[2] For example, the expected "migration flows" are to be prevented in good time, if necessary using military means, as is stated in the so-called Pentagon or Solana study (Schwartz and Randall 2003, European Commission 2008).

a *top–down* strategy in which international relationships were the primary addressee. This shows a specific way of dealing with nature which disregards complexities and prefers interpretations that are easy to handle. Nature and society cannot be separated from each other, however, and nature does not exist independently of its societal definition.

The greenhouse gas effect, which is caused by humans, and the resulting climate change show this clearly in a very particular way. The ecological problems in turn affect humans in the form of the destruction of the basis of life (e.g. by the expansion of deserts), of health (e.g. by an increased risk of malaria) or in the form of additional costs (e.g. for the increased use of air conditioning). These changes, as well as catastrophes, to which particular attention is paid by the media (e.g. because people in the industrial countries are among those affected), do not necessarily lead to the right climate policy. Reactions to catastrophes can vary considerably. And at the same time, catastrophes have both political and socio-economic dimensions. Not every social stratum is affected by the catastrophe to the same degree, or can participate in overcoming the catastrophe to the same degree. After all, the contradictory societal relationships with nature include not only the option of reacting to, but also of ignoring, certain problematical societal situations.[3]

Different interests, different socio-economic situations and the different factors in the climate perception system therefore mean that the ways in which societies react and their development potentials are not unequivocally determined by "nature." This is important in order to be able to understand why climate protection since the financial market crisis has increasingly no longer been interpreted as a global problem but, rather, as a national economic opportunity (Edenhofer and Stern 2009). This is particularly clear in connection with the debates on a Green New Deal, the objective of which is the ecological modernisation of the national economies (GND-Group 2008). It is therefore possible to derive neither an unequivocal concept of crisis from climate change, nor a societal reaction that is appropriate to the problem and unequivocally definable. The reaction can change, and is determined by the dominant ideological context of neo-liberalism, economic system, state and international system. In other words, the prevailing systems of perception and interpretation, and the corresponding, powerful forms of dealing with *external* nature which structure society's relationships with nature—especially in their changeableness—must be understood as the central dimension of the ecological crisis.

Yet this diagnosis of the crisis remains largely unarticulated in the framework of national and international climate negotiations. Climate change is interpreted by societal institutions such as state apparatuses, non-governmental organisations (NGOs), research institutions and, in particular, the media as a global environmental problem or—as we have shown—increasingly as an economic opportunity. If only the right course is set, efficient climate protection will become a national

[3] This becomes a problem if the ability to articulate local, national and global questions varies. Local environmental problems can be "externalised" and become a "Nimby syndrome."

locational factor. It is obvious here that there has neither nationally nor internationally been a break with the fundamental conviction of modernisation theory that nature can be controlled (see flexible instruments or the debates on the Green New Deal). At the same time, however, climate change is making the limits to this control increasingly clear. The consequence is a "reflexively broken strategy of the control of nature" (Görg 2003: 190).

6 Neo-Liberalism and Climate Change

The Kyoto Protocol is regarded as one of the furthest-reaching economic agreements ever made under the auspices of the United Nations. State and economic interests work closely together. The Protocol is a clear expression of the fact that international climate policy is guided and determined by economic interests. The flexible mechanisms supply the necessary conditions so that profitability criteria, technology transfers to the South, locational security, and competitiveness are not fundamentally questioned. They are an expression of neo-liberal politics. In other words, climate change leads to the search for international answers, which can only be selective due to the political and economic determinacy of international negotiations.

"The market fix for global warming could not have become so dominant if it came out of nowhere. Part of its success is owed to the fact that it is part of a larger, more longstanding historical wave of neoliberalism" (Hallström et al. 2006: 54). Prohibitions, taxes and the reduction of climate-damaging subsidies are dispensed with. The dominant actors from governments and private industry, accompanied in cooperative conflict by NGOs, enforce the use of economic instruments. The market has been put in charge of dealing with the problem in the final instance (Stern 2006). The harmful greenhouse gases were integrated into the valorisation process via the politically determined allocation of economic pollution rights. The harmful emissions are given a price just like any other commodity and can now be traded, invested in, and—as has been reported with increasing frequency in recent times—even used for criminal practices. The policy convergence of international climate policy, which is adjusted to fit into the neo-liberal world economy, shows itself in this valorisation of pollutant gases.

The creation of the emissions trading system was accompanied by the parallel separation of international climate policy from other international treaties and organisations. Due to the fact that the Kyoto Protocol only defines a narrow corridor for dealing with the problem, its contemporaneity with other international agreements is kept as free from contradiction as possible. The fact that there is hardly any systematic connection between the UN Convention and Protocol on Climate Protection and the UN Convention on the Maintenance of Biodiversity can only be explained by differences of interest, strategies for avoiding conflicts, and political pragmatism. Particularly, however, the agreements aimed at growth and the free trade of goods and services, which have been made within the framework of the

International Monetary Fund (IMF) and the World Trade Organisation (WTO) in many respects, do not conform to the Kyoto objectives. Climate protection would mean the reduction of export-oriented, resource-intensive trade. The aim should be the socio-ecological transformation of the national and the global economy, connecting the elements of decentralised energy supplies, shorter transport routes, renewable energies and sustainability. However, the intensification of world trade via deregulation, liberalisation and privatisation, and aiming for profits in a growth-oriented society, point in precisely the opposite direction,

7 Multi-Level and Meta-Governance

The debate surrounding the various governance dimensions should make it clear that contending national interests and conflicts are reflected in international climate policy, which has led to the creation of a detailed set of regulations with numerous unsettled points and special national arrangements. As a precondition for the economic orientation of climate policy and in order to avoid conflicts, the regulations have concentrated on the *output* side of the fossilistic energy system. The strategic selection of climate governance from the other (opposing) governance regimes, e.g. in the areas of trade, transport and finance, could, therefore, take place successfully. The agreement on the flexible mechanisms, finally, made it possible to integrate private enterprise into the climate process not as a cause of the problem, but as a problem-solver, and not to fundamentally question the capitalist mode of production and consumption fixated on growth. That would be necessary, however, as the trends and forecasts with regard to the consumption of fossil energy clearly show, if climate protection were to be understood as the absolute (and not only the mathematical) reduction of emissions.

It is not surprising that energy governance is essentially determined by national competition policy, which has as its goal not only access to resources and the security of supplies, but also the affordability of energy. This is, after all, a major factor in the success of the nation state in the face of global competition. Dependency on imports and high energy costs can endanger economic growth and higher profits. That is also the reason why the climate policy regulations are of secondary importance compared to the security of the supply of fossil energy. The global dependency on fossil energy resources and the power structures on the energy market at the same time narrow—even more dramatically than the policies of the USA and Australia in the climate negotiations—the corridor in which international climate policy moves. It therefore falls short of the mark to explain the failure of Copenhagen and Cancún with the blockade by certain individual countries.

The market, competition and growth have priority over all climate policy misgivings and policy measures, which interfere with the functioning of the market. Instead, the framework for new valorisation conditions is created with the new pollution rights (emissions trade), the financial instruments and all the other climate policy instruments, and precisely this framework is experiencing a re-nationalisation

through the Green Recovery and Green New Deal approaches. Neo-liberalism forms the ideological discourse arena for both the national and the international concepts, and can be described as a form of "meta-governance." This form of governance is not a peculiarity of climate policy, but characterises the processes and structures of international politics as a whole (Jessop 2004): international biodiversity policy is aimed at the right of access to, and exploitation of, genetic resources, and in the WTO new investment agreements are made and intellectual property rights are codified. On the international financial markets, new financial products promising new profit opportunities are being created daily. New markets are arising everywhere that are politically prepared, established and cultivated.

Because this increasingly takes place at the international level, the social construction of the problem is decisive. As has been shown in the discussion on society's relationship with nature, the interpretation of climate change as a "global environmental problem" is a precondition for the search for a solution to the problem to proceed from the international level. The instruments with which relationships between humans and nature can be influenced are often more easily enforceable there than in a national context. "Global environmental problems" and the *top-down* approach of neo-liberal politics are connected in that they legitimise each other (Brand 2009). At the same time, the levels at which action takes place can move if the conditions in the world economy change as a result of crisis situations. This happened in the course of the world financial market crisis, and has consequences for climate governance: national interests move further into the foreground.

Only the synopsis of the various governance dimensions and the taking into account of meta-governance can explain the fragility of the international regulations. *Governance failure* must therefore also be considered as an option. It is hardly a realistic assumption that CO_2 emissions will be reduced comprehensively in the foreseeable future if, at the same time, access to, and the availability of, fossil fuels has long become an integral part of national security and military policy. Here, climate governance "gets lost" in the disparate interests and solution strategies of climate, energy and security policy, which—as this chapter explains—cannot be considered or governed independently from each other in order to achieve the intended climate protection goals. The existing climate governance regime, so far, has failed to integrate these aspects, leading to a need for restructuring and reformulation in order to avoid the aforementioned *governance failure*. What theoretical conclusions can be drawn from this?

8 Conclusions

Political science approaches in governance research, which examine the policy field-specific (state) institutions, are inadequate for the analysis of the multi-level governance of climate change and climate policy. The global conflicts over fossil resources, the specific dealing with apparently *external* nature and neo-liberal

politics must also, in order to present a comprehensive perspective, be regarded as part of the problem.[4] This raises new questions with regard to the relationships of power and dominance, which permeate climate policy.

An integrated picture of the problem is obtained when the states, the *output* and the *input* side of the fossilistic energy regime, the economy and the constitution of the problem itself, in other words, the governance dimensions described above, are brought together. The fragility of the climate regime does not consist in its internal dynamics, which are characterised by contradictory interests and the heterogeneity of its actors, so that we can hardly speak of control in the sense of a goal-oriented process capable of being planned. The multi-level system "climate" must, rather, be understood as a dynamic and discontinuous structure, which is considerably influenced by its governance environments. If there is a trading or financial market crisis, this is connected directly with the climate regime. Locational competition, competitiveness and growth are the paradigms to which climate protection must adjust.

Thus, not only the "blind spots," or deficits of international climate policy, can be derived from this multi-level examination, but also a pattern for the regulation of the socio-ecological crisis: international climate policy is not directed towards a radical societal transformation focused on renewable energies and sustainability; the objective is, rather, the regulation of the harmful capitalist mode of consumption and production in order to defuse the crisis at warrantable economic cost. That is why a neo-liberal policy is followed by an alliance of the state and society, which deliberately hands over responsibility for problem-solving to the market. At the same time, strategic islands of regulation are created. It is therefore true what Lorraine Elliott writes concerning global environmental governance: "It is a political practice which simultaneously reflects, constitutes *and masks* global relations of power and powerlessness. It is neither normatively neutral nor materially benign. In practice, it has come to legitimise a neo-liberal ecopolitics, characterised by a rehabilitation of the state, liberal-individual notions of justice, and a technocratic emphasis on managerialism, standard setting and rules-based behaviour" (Elliott 2002: 58).

With regard to climate policy, this means that the forces in favour of adhering to the fossilistic energy system and the state's geo-strategies for the avoidance of resource scarcity must be regarded to a far greater extent than until now as a part of the problem. The specific modes of regulation, i.e. the structures, institutions, norms and forms of dealing with contradictions, cannot be examined separately from one another, but must be examined with regard to their interdependencies. Only then can it be explained why the harmonisation of climate protection, supply security and competitiveness has failed so far. Other political and economic governance systems (WTO, IMF, etc.) exist which are not only in contradiction to climate policy, but are also more stable and better able to prevail. However, by

[4] Regarding multi-level governance, Benz focuses on non-hierarchical, network-like structures, but also notes that the definitions to date, which stem primarily from the context of European institution research, are inadequate for further-reaching differentiations (Benz 2004: 144).

means of strategic selectivity it has been possible to temporarily "freeze" the conflicts existing between the institutions. As more recent developments have shown, though, climate as an area of conflict is increasingly coming under pressure to legitimise itself because of "internal" and "external" changes. At present, the pendulum between multilateralism and re-nationalisation is tending to swing towards the latter.

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Author Biography

PD Dr. phil. habil. Achim Brunnengräber is a Visiting Professor at the Technische Universität Dresden, Chair for International Politics, and Associated Professor (Privatdozent) in Political Science at the Freie Universität Berlin. He has a long-standing expertise in climate and energy policy research as well as in socio-ecological research. In particular, his work focuses on: Energy and climate policy in Germany, the EU and world-wide; implementation of the Kyoto instruments (emissions trading, clean development mechanism, adaptation, social vulnerability), global governance, multi-level governance (multi-level systems), questions of global democracy, international and transnational civil society and global public policy networks (GPPN).