The Global Environment Regime: A Decade after the Rio Earth Summit

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The accomplishments and failures of the global environmental regime for the last 10 years are anchored on the processes of globalization. This paper is an explanatory study of the global ecological politics in the context of the changing international political economy, The green or ecological perspective contends that economic globalization is a catalyst of unsustainable development. From Stockholm to Johannesburg, numerous multilateral environmental agreements did not prevent the problems of degradation, unsustainability and (mail)development. Three contending theoretical frameworks explain the viability of global governance in addressing environment issues. Realists' state-centric position and preoccupation with the obstacles to genuine cooperation have made environmental regime a piecemeal approach. Nec-liberal institutionalists, on one hand, attempt to minimize "free-riding" among states by looking at the possibilities of collaboration through international regimes. Proponents of critical theories emphasize the role of nonstate actors in advancing global governance "from below". Global and local social movements work together in influencing politics and changing public mindset, Nonetheless, their participation in earth summits 'is limited to "soft" forms of political engagement—lobbying, consultation and dissemination through "controlled inclusion". As the works of the WTO and World Bank demonstrate, the global management of environment cannot be divorced from neo-liberal global capitalism. Sustainable development is being de-prioritized by focusing more on the promotion of economic and social development. Two critical issues then emerge. First, core states like the United States and the EU dominate summit negotiations but are unwilling to subject themselves under rules that will clash with their national interests. Second, market-rules under the cloak of liberal dogmas have pushed environmental issues in the background.

The root causes [of environmental abuse] are in social structures reinforced by the development paradigm. The paradigm is the villain.

James Mittleman¹

Introduction

A decade has passed since the United Nations Conference on Environment and Development (UNCED) held in Rio de Janeiro in June 1992. The Earth Summit, as it came to be known, was remarkable in

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many senses. For one thing, nearly every country was represented with over one hundred national delegations led by heads of government. In addition, more than 17,000 people attended a parallel non-governmental organization (NGO) forum as non-state actors made a powerful claim for voice in the international environmental regime. More than this, the Earth Summit appeared to make hard commitments on a range of environmental and developmental issues. It gave rise to the United Nations Framework Convention for Climate Change (UNFCCC) which in turn produced the Kyoto Treaty to limit global warming. Rio also gave birth to the Biodiversity Convention, designed to preserve the earth's most important ecosystems, and Agenda 21, which aimed to foster "sustainable development" at a local level.2 For the sheer scale of the international attention that Rio attracted, the impetus to widening and deepening cooperation, and the expectation that something serious was at last being done about the global environmental catastrophe, the Earth Summit persuaded many of a permanent ecological turn in world politics.

Today, this assumption looks rather hollow. Two broad interrelated observations may be made at the outset about environmental cooperation over the last decade. First, the tension between ecological interdependence and the generally predatory mode of global economic interdependence has become more palpable. Put simply, the global capitalist economy is geared first and foremost to the growth of profits, and hence to economic growth at virtually any cost. Thus global ecological degradation is a corollary of global economic practices. Set in this light, the mandate of sustainable development looks more and more like a contradiction in terms.3 The second observation that can be made about environmental cooperation is that it has been a case of too little, too late. In one sense, the "green wave" had already broken before the Rio Earth Summit. This did not reflect any great diminution of public concern about environmental issues nor of the campaigning activities of NGOs. Rather governments, and their allies in big business and the media, effectively had already turned their backs on the environment. The fall of the Berlin Wall, and the proclamation of the "End of History", prompted a move away from concerted action on pressing environmental issues. In its place the invulnerability of a hyper-liberal form of capitalist development was trumpeted and leading states set about the task of completing the structures of neo-liberal economic governance at the global level through the major international financial institutions, through the launching of the World Trade Organization, through regional free trade areas, and the like.

As Karen Litfin notes, "[t]o the extent that environmental considerations are incorporated into international economic institutions at all ... their impact is relatively small". The result is that the decade since Rio has seen no virtually progress on the environment, the overall health of the planet further deteriorated and there has been considerable backsliding on global sustainable development.

It is against this unpromising background that the UN convened a World Summit on Sustainable Development in Johannesburg in August–September 2002. Although it is too early to provide a comprehensive analysis of the concrete outcomes of this follow up conference, it is already clear that the hopes for concerted action on the environment have not been fulfilled. Anticipating this outcome, a group of well-known environmental campaigners issued a memorandum to the Summit entitled *The Jo'burg Memo: Fairness in a Fragile World*, claiming that "it is the challenge of Johannesburg to move beyond Rio, yet it is the danger of Johannesburg to regress behind Rio". Other commentators put it more bluntly, even going so far as to claim that "Johannesburg has largely abandoned any pretence of protecting the environment". If this is the case, then the moment is opportune for an examination of what the global environmental regime has achieved—and what it has not—and offer an explanation for the current state of affairs.

This paper provides an explanatory study of ecological politics and the global environmental regime in the context of the changing international political economy. It focuses on assessing the nature of environmental problems and how they have been responded to at the level of global, national and local politics. In doing so, the paper identifies the major impediments to the realization of the commitments made over the last ten years. The discussion proceeds in four sections. The first part provides an overview of different strands of ecological politics and establishes the changing context of neo-liberal globalization that shapes the pursuit of environmental policymaking. The second part examines three major theoretical approaches to environmental governance in international theory, drawing broadly from realist, neo-liberal institutionalist and critical theoretic perspectives on international regimes. The discussion here notes the conceptual and empirical difficulties in establishing environmental regimes that work. The third part then traces the evolution of environmental cooperation and the efforts to establish a global environmental regime in the period from the Stockholm United Nations Conference on the Human Environment in 1972 to the signing of the Kyoto Protocol in 1997 and beyond to Johannesburg, and notes the limited success of environmental regimes in addressing the growing concerns of the world. The final section then briefly considers the role of "transnational civil society" as the main vectors of resistance to the current decision-making process and, by contrast, the role of multilateral institutions following the logic of the neo-liberal market, in pursuing antienvironment strategies. The concluding argument suggests that the environmental agenda has been hijacked by big business and the original goals of enhancing the lives of the world's poor in a sustainable manner are fast disappearing.

Ecological Politics and Neo-liberal Globalization

Any consideration of the changing parameters of environmental governance has to deal squarely with the impact of globalization on that subset of issues faced by society that are considered as ecological problems. More specifically, in order to determine the scope of the enquiry here, a critical assessment of the nature of contemporary ecological or environmental problems must, at the same time, focus on the expansionist logic of the capitalist system. But first it is important to be clear what ecological problems are and how different understandings of these problems have shaped the practices of ecological movements and broader international politics.

One of the earliest, and most influential, attempts to conceptualize the human-environment relation, as distinctive from other societal issues, came with John Passmore's claim that "a problem is "ecological" if it arises as a practical consequence of man's dealings with nature". Though taken up by many analysts, and containing an intuitive sense of what environmental problems are (and what they are not), this definition relies on an unexamined and ambiguous notion of nature. The lack of definitional specificity is obvious. For, as Jonathan Hughes points out, "if we stretch the concept of nature too much we will be unable to exclude any of the problems facing society from the realm of the ecological". The conceptual problem, then, is located in how and where the appropriate boundary should be drawn between environmental and other problems. The answer to this conundrum lies in basing the distinction upon a theoretical account of the actual relation between human beings and their natural and man-made environments.

There is now a well-established theoretical literature on what might be called ecological or green political theory, one which provides a useful vantage point for the later discussion of global environmental politics." Three strands in this literature offer different emphases in defining the important characteristics of ecological thought. 10 The first, associated especially with the work of Robyn Eckersley, suggests that the defining characteristic is ecocentrism, a worldview that places independent value on ecosystems and all living things.11 For Eckersley, ecocentrism possesses two core features. First, it involves the claim that all beings are fundamentally "embedded in ecological relationships". It follows that there can be no tenable distinction between humans and non-humans. Second, ecocentrism has an ethical base. Not only does she reject anthropocentrism on the grounds that it leads to environmentally devastating results, but also that any project of "emancipation writ large" also ought to include non-human nature. 12 In short, ecocentrism posits the view that humans should not be free to dominate the rest of nature. Eckersley thus makes the case that a radical rethinking of the ethical relationship between humans and the rest of "nature" is a fundamental element of ecological politics.

This element is taken up in a second strand of thought, advanced in particular by Robert Goodin, that places ethics at the center of the ecological position. ¹³ He suggests that a "green theory of value" is at the core of any viable political theory, and argues that the source of value in things is the fact that they have a history of having been created by natural processes rather than by artificial human ones. Both the positions advanced by Eckersley and Goodin have strong normative underpinnings.

A third strand in ecological political theory accepts the need to reject anthropocentrism, but also outlines the case for linking environmental crises to questions of economic development. The origins of this position lie in the controversial but influential book published in 1972, The Limits to Growth. Here the argument was relatively straightforward: the exponential population and economic growth of human societies was producing an interrelated series of crises. In essence, the world was rapidly running out of resources to feed people or to sustain continued industrial growth, and exceeding the absorptive capacity of the environment to assimilate the waste products of industrial production. Although much of the empirical details of the findings of the original study have been convincingly refuted, the "limits to growth" argument has not gone away.

Rather, it now informs that strand of green political thought that claims that the unfettered industrial growth of the last two centuries is the root cause of environmental crisis. Here the work of Andrew Dobson is perhaps best known. Dobson's position attempts to move beyond that of both Eckersley and Goodin in two ways. First, he criticises the ecocentric idea as reductionist since it does not possess an explanation of why the environment is being destroyed by humans. Dobson also argues that ecocentrism is politically indeterminate. Second, he takes issue with Goodin's formulation of a distinction between what is "natural" and what is "artificial" in ways that echo the shortcomings of Passmore's concept of "nature". Dobson contends that the distinction cannot be even loosely sustained.

All three principles of ecological political thought-ecocentrism, ethics and the "limits to growth"-have found their adherents in attempts to advance a new ecological politics, especially over the last decade or so. While many doubt whether ecocentrism is an adequate or desirable basis for a convincing new political theory, or whether moral commitment is sufficient to explain why environmental crises have emerged, there is little doubt that most ecological thinkers and movements accept the validity of the "limits to growth" argument. Contemporary environmentalism has, by and large, been premised on its central conclusion-that exponential growth is impossible in a finite system. Dobson, for instance, identifies three reasons why this should be so.36 First, technological solutions will not work since they merely postpone an inevitable crisis occurring at some point. Second, the very nature of growth means that the "dangers stored up over a relatively long period of time can very suddenly have a catastrophic effect". And third, the problems associated with growth are all interrelated and therefore are not susceptible to issue by issue resolution.

It is from this set of conclusions that ecological thinking has derived its notion of "sustainability", perhaps the most central and contentious idea in the lexicon of the environmental movement. Though this way of conceptualizing environmental problems first became fashionable during the 1980s, it is only in the last decade that the notion of "sustainability" has become conjoined to two other defining motifs of the era—"development" and "globalization". The precise way that these three phenomena are understood and linked provides the basis not only for different (and contested) tenets of ecological thought but also how

environmental politics have been defined and conducted. Here, two major positions have emerged. The first, building on the claims of ecological political theory outlined above, rejects the entire premise of "development" particularly as it is conceived in terms of economic growth through global integration. Development, in short, is inherently antiecological. Critics writing in this vein do not believe that development can be retrieved. Rather, they articulate what can be termed a "post-development global ecology". By contrast, there has been a powerful backlash against this doomsday scenario from a range of positions. Put simply, the argument is that economic growth offers not only the best possibility for overcoming environmental problems, but also that globalization—understood here as the incipient transcendence of the modern nation-state and its supersession by a transnational global order—offers the most appropriate scale for the project of "sustainable development". Each position can be considered in turn.

There has been a remarkable convergence of thinking between critics of unfettered economic growth and ecological thought over the last decade or so. Both positions derive from a sustained critique of what are taken to be the negative consequences of market-led economic globalization, and have made common purpose in offering an alternative model that may be termed "post-development global ecology", 17 Though the methodology is clearly different, the global ecology position undoubtedly originates, in part, from the "limits to growth" thesis as well as a more generalized critique of development that was emerging in the South during the 1980s. There are also trace elements of feminism and postmodernism in this position. Explicit in the work of global ecology thinkers is the need to accept the limits imposed by a finite planet. They are also skeptical of the possibilities of decoupling the concept of development from that of growth: they are seen for all practical purposes as the same process. In other words, through a critique of development, economic growth and globalization themselves are also the subjects of critique, with their ecological consequences closely connected to their negative social consequences.

In short, ecological critics broadly agree that the global industrial age marks the point where humans are pursuing an environmentally unsustainable path of development. The result has been increasingly apparent not only in local environmental degradation around the world but also at the global level with the emergence of such world-scale

environmental problems as the depletion of the ozone layer, global warming, and the loss of biodiversity. The consequence is incalculable damage to the world's natural ecosystems. 18 According to such arguments, economic globalization intensifies many of the negative trends they associate with the industrial age that accordingly encourages economic growth, mass consumption, and large-scale economic activity. Not the least important consequence is that the dominant development-economic growth nexus deepens political cleavages at the global level. As Matthew Paterson, for example, notes: "Development therefore entrenches the power of the already powerful. This can be seen on the global level-in the global economy in which the North dominates, and can insulate itself from (many) socio-ecological effects of development".19 For all these reasons, then, the global ecology paradigm has been highly critical of the notion of "sustainable development", at least in how it has been used in mainstream development thinking and practice. The idea of sustainability and the idea of development, presently constituted, are simply incompatible. Development, in practice, undermines sustainable practices. It takes control of resources away from those who live sustainable, it offers a highly instrumental rationality and promotes individuated consumption, and it increases inequalities both at micro and global scales. Finally, at the level of global politics, the false promise of "sustainable development; merely serves to co-opt environmentalism or neutralize the emerging global environmental movement.20

From the intellectual rigor of the global ecology attack on developmentalism, and from the attention that has been given to the broad anti-globalization movement over the last few years, it would be easy to conclude that the ecological position is now broadly consensual. Nothing could be further from the truth. For while it is palpably the case that an ecological approach now possesses greater analytical and policy purchase than it once did, it is also evident that there is an important counter-argument that rejects outright its central tenets and the consequent policy implications. For its advocates, globalization is not only an inexorable—even irreversible—process of transformation but its consequences for human development are, by and large, benevolent. As the dominant discourse of the 1990s these claims are generally well known. In this view, the market is an extraordinary mechanism that allows a society-any society-to organize the production and distribution of goods efficiently. By virtue of the competition it establishes among firms, the market ensures that the market ensures that scarce resources are

allocated in just that measure that benefits society the most. As George DeMartino, in a critical review of the promises of the global market, summarizes it:

The market is such an extraordinary institution because it manages to harness this rational, self-oriented behavior in service of the collective good. The market generates growth and prosperity for all, not because of any individual actors intends of seeks this outcome, but as an unintended consequences of each agent's determined efforts to secure his own happiness.²¹

In this way, then, the social good is assured.

It is precisely this logic that has been applied by the pro-globalization and pro-market thinkers in dealing with environmental problems. The approach turns the ecological critique on its head, not rejecting development still less economic growth, but by asking how can markets take account of environmental "externalities" that have not yet been given a price. Their answer is entirely predictable. On the one hand, there is a denial that the impending environmental crisis is as alarming as is usually made out. More importantly, the effects of the development paradigm in generating ecological scarcities or environmental degradation can, equally well, be dealt with through efficient market "solutions". The new generation of self-styled "free market environmentalists" is clear on the point. 22 The market is, as usual, the preferred mechanism for dealing with environmental problems and certainly better than "political environmentalism" which is associated only with regulation and higher taxes. It is so because "free market environmentalism emphasizes the positive incentives associated with prices, profits, and entrepreneurship....a system of well defined property rights to natural and environmental resources".23 In other words, pace ecological critics, market-led growth can be ecologically virtuous because of the disciplines it imposes on all resource users.

Perhaps the best-known recent attempt to advance the idea of a market-driven ecology is Bjørn Lomborg's The Sceptical Envrionmentalist which offers a relentless denial of the concerns outlined in the critical environmental literature. For Lomborg, those who contend that the planet is being destroyed have simply misconstrued the facts. Using a standard cost-benefit analysis, he casts his statistical eye over a wide

range of pressing issues-demographics, grain and fish stocks, fossil fuels, deforestation, air and water pollution, species extinctions, global warming-and draws out a monotonous conclusion: the economy is improving, pollution is under control, pesticides are almost harmless. biodiversity is unthreatened and, last but not least, the greenhouse effect presents no significant threat. Having attempted to demolish the empirical arguments of global ecology critics. Lomborg makes two further claims that place him firmly at the center of what might be called a "monetized ecology".25 The first is a highly optimistic assessment of the presumed correlation between rapid economic growth and a falling birth rate, leading inevitably to the use of cleaner fuels and technologies. And the second is an entirely uncritical belief that the well-being of the planet, as well as the welfare of the world's poor, lie in neo-liberal globalization and restructuring: "we have grown richer and richer primarily because of our organization in a market economy and not because we have worried",26 in other words, Lomborg shows himself to be not so much an environmental skeptic but a true believer in the application of cost-benefit analysis and handing over environmental decision-making and goods to the market.

We are thus left with a highly polarized debate not only about the scale of the current ecological problem but also its causes and potential solutions. Of the two positions, it is easier to make a case in support of the global ecology claims. It not necessary to adopt a strong ecocentric or "deep green" position to accept that there is a prima facie case for "close links between the damaging human effects of development and the damaging ecological effects of development".27 There is a mature body of scientific research that would seem to support this view despite Lomborg's protestations. Further, any sober assessment of the fortunes of the developing world over the last two decades would have to highlight the failures of development and not their so-called successes. As the most recent UNDP Human Development Report puts it: "Globalization is forging greater interdependence, yet the world seems more fragmented between rich and poor, between the powerful and the powerless, and between those who welcome the new global economy and those who demand a different course",28 As almost all the research shows, declining environmental indicators are most apparent in those regions of the world left behind by the last 20 years of economic "development".29 These are reflections that the proponents of free market environmentalism and globalization find barely worthy of serious discussion. Even more importantly each position suggests very different kinds of politics though.

as we shall see, there is no neat "fit" between the diagnosis of the problem and the specification of appropriate political action. What they do have in common, however, is that both advance the case for a fundamental restructuring of world politics along contending axes in the context of political globalization. This touches on questions of the emerging world order and, in particular, the types of international regimes that are seen as appropriate mechanisms for managing change or, indeed, for inducing a distinctive remodelling of global political forms.

International Regimes and the Restructuring of Global Politics

Since the there is little empirical agreement over the impact of economic globalization it is not surprising that there are different perspectives on the possibilities and merits of building viable forms of governance to meet these challenges. Basically the two theoretical approaches in orthodox international political economy – the realist perspective and the neo-liberal institutionalist perspective – continually engage the debate on the merits and demerits of the global environmental regime. They have recently been joined by a critical theory approach to managing global environmental that looks to the role of non-state actors – particularly NGOs – in advancing alternative modes of global governance from below'.

Realism emphasizes the primary role of the nation-state in world politics. Seen in the context of the current debate, only states have the capacity and authority to implement laws in the management of the environment. International regimes, for the realists, emerge out of a mutual desire to co-ordinate actions so as to enhance the principle of self-help. Furthermore, realists - and many environmentalists for that matter - continue to highlight the many obstacles to genuine cooperation. These include the weakness of most international institutions and the absence of sanctioning power; the unprecedentedly high levels of cooperation and policy co-ordination required to deal with many of the most pressing environmental issues; the pressures on states and state representatives to place a high priority on their immediate short-term interests and on the protection of political autonomy; the mismatch between the time horizons of politicians and political processes on the one hand and the extended time frames needed to address and deal with many of the most serious environmental problems on the other; the fact that there is no easy link between increased scientific knowledge and the

growth of international cooperation; the extent to which the loose rhetoric of "interdependence" disguises a wide variety of problems whose specific dependence structures may sometimes work to promote co-operation (as in the case of the ozone) but may also mitigate against it (as in the case of global climate change); and, finally, the extent to which these difficulties have to be set against the large number of deep-rooted historical conflicts that exist between states and the cultural political and economic heterogeneity of the international system.³⁰

Neo-liberal institutionalists, on the other hand, emphasize both the possibilities for cooperation under structural conditions of interdependence and the need for concerted action among states in order to enhance the efficiencies of the market. They further maintain that transnational actors - multinational corporations and others - are challenging the primacy of the state in international relations. As such, regimes emerge from a never-ending form of complex bargaining among various actors. Moreover, neo-liberal institutionalists accentuate the importance of the role played by international institutions in the attainment of cooperation. The purpose of the regime is to avoid a situation where some countries contribute to the abatement of pollution while others benefit from it without sharing the burden, a phenomenon know as free-riding.31 Regimes, in particular, enable states to collaborate and what makes a regime, according to Ruggie, is that it satisfies the definitional criterion of encompassing principles, norms, rules and decision-making procedures around which actor expectations converge.32 The defining elements of such a regime are identified by Krasner in the following terms: 1) principles, 2) norms, 3) rules, and 4) decision-making procedures. Principles are represented by coherent bodies of theoretical statements about how the world works. Norms specify general standards of behavior, and identify the rights and obligations of states. Rules are designed to reconcile conflicts which may exist between the principles and norms. Decision-making procedures identify prescriptions for behavior, the system of voting, for example, which will regularly change as a regime is consolidated and extended.33

Regimes can certainly make it easier to enforce agreements. However, the outputs of environmental regimes generally are not at par with the expectations of the international community. In this light, Little observes that: Despite the wide range of agreements intended to protect the global environment, it is unlikely that many will consolidate into full-blown regimes. Instead, there is a perennial danger that they will degenerate into dead-letter regimes.³⁴

For instance, the concept of sustainable development, which was first introduced at the Earth Summit at Rio de Janeiro in 1992, has been widely criticized. Defined as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs...", sustainable development is focused on finding strategies to promote economic and social development in ways that avoided environmental degradation, over-exploitation or pollution, and away from less productive debates about whether to prioritize development or the environment.³⁵

Against the thrust of both realism and neo-liberal institutionalism. recent critical contributions to the global governance debates attempt to offer an alternative reading of the problems that exist with international regimes. From this perspective, the problem with regimes lies not so much in their formal, procedural attributes though these are taken to privilege state elites and transnational businesses. Rather the inadequacies of regimes lie in the content of their policymaking. For example, Lele, a major critic of the current environmental regimes, notes that the chief difficulty of mainstream approaches is that they try "to offer a 'metafix' that will unite everybody from green activists, conservationist and poor farmers in the South to development-oriented governments and large companies. It therefore fails to provide much of real substance for anyone...". Another major critic, Sachs, fears that the concept of sustainability and its related ethos of environmental managerialism have generated a new breed of elite, global eco-crats. This group has hijacked the green agenda from the more radical groups. Unlike many individuals and green activists, the eco-crats do not regard the biosphere as a fragile heritage that needs to be protected for posterity. Rather, they regard it as a "commercial asset in danger". The earth's dwindling resources require worldwide management by, and on behalf of, the rich and powerful.36

In theoretical terms, the critical answer to the shortcomings of realism and neo-liberal institutionalism lies in what Cheru calls the "local dimensions of global reform". 37 This view certainly understands

globalization as a major force shaping the lives of people, often in highly destructive and disruptive ways. Although it accepts the need for specific reforms at the global level, the critical perspective pays far greater attention to the possibilities of constructing a just and sustainable social order at local and national levels, and how these local efforts can be used as "stepping-stones" towards a new multilateralism "from below". Most critical theorists are under no illusions about how difficult this task will be. But, in their view, it is the only way in which the current global environmental regime can actually be made to function effectively to address the pressing problem of environmental justice. What these insights certainly point to are the current difficulties facing the environmental regime. Empirical evidence would suggest that regardless of the numerous multilateral environmental agreements reached still the problems of degradation, unsustainability and (mal) development continue unabated.

From Stockholm to Johannesburg

The United Nations Conference on the Human Environment, held in 1972 in Stockholm, was the first major international environmental conference that aimed to address the growing awareness of an "ecological crisis". Its major accomplishment was the establishment of the United Nations Environmental Program (UNEP) which was tasked to coordinate environmental activities. However, it was hampered by the contemporary North-South debate. That debate centered on the challenge of the Third World to the unequal nature of the international economic order and focused on financial resources, technology transfer and capacity building. Such was the case of the Brundtland Report, also known as Our Common Future, the document which eventually emerged out of more than a decade of post-Stockholm deliberations.39 It was met with intense criticism from the South. The Report assumed that effective responses to global environmental threats could be found within the framework of the prevailing pattern of economic development, if only the key actors would accept the importance of sustainability. This is, in fact, the generally held view in the North. Many governments in the South, however, viewed their array of problems (i.e., population growth, food shortages, the loss of forests, the difficulties of producing energy, the impacts of industrialization, and the burdens of massive urbanization) as by-products of the dominant economic development pattern pursued by the North. In this regard, throughout the 1980s, the majority of Southern governments pressed the North to accept responsibilities for causing these problems by pursuing a form of economic growth and an approach to development that is fundamentally at odds with sustainability. 40 Fundamentally, the source of the environmental conflict was about the definition of progress and development. In particular, how did each – the North and the South – define the terms "progress" and "development" in relation to environmental concerns?

The Rio Earth Summit was designed to draw together different responses to this question and act as catalyst and focus for injecting the concept of "sustainable development" into the international community including governments, international organizations, and NGOs. In particular, the Summit started to address the relationship between the growing needs and pressures of human development and the resulting problems now threatening the global environment. It marked the first major post-Cold war conference and the beginning of a rearrangement of the world order from that of the East-West conflict to North-South dialogue, placing environmental and developmental issues at the forefront and redefining national security, including the UN system.⁴¹

Despite these intentions conflict actually intensified at the Earth Summit, polarizing still further opinions between the North and the South. What emerged was actually a statist consensus in support of the free market. Development was not addressed explicitly, but was implicitly present. The "global" environmental issues that were addressed were those in which the North had an interest. For the millions of people struggling to find their next meal, global warming was clearly not a top priority issue.

As already noted, the UNCED agenda was shaped by the entrenched interests of the state/government elites and big business. 42 U.S. leadership for one thing was lacking at Rio. In fact, it took some time before the U.S. could even agree to a reference to development in the title of the Conference out of concern that it would lead to a "developmental agenda", thereby swallowing the environmental issue. 43 Its refusal to commit to the convention on climate change proved to be one of the great stumbling blocks of the Conference. It would seem that U.S. wanted to maintain the status quo. It ended up as the only county in the world not to sign the treaty on Rio. As reiterated by Hajost, the U.S. missed an opportunity in Rio. When the world needed leadership, U.S. leadership

was lacking. Unfortunately, U.S. failures on the environmental, foreign policy and economic fronts – despite a generally strong domestic record on the environment – distracted attention from pressing problems, including the dismal environmental record of the world's public financial institutions, including the World Bank. For the Bush Administration, Rio was an unmitigated public relations, foreign policy and political disaster that was not forgotten in the 1992 US presidential election. Overall, then, despite the high expectations, despite the presence of a broad constituency of NGOs, and some real commitments on specific issues, Rio was a disappointment to the wider international community hoping to achieve concrete agreements on the environment.

Before Johannesburg, the most recent attempt to establish a workable international framework for environmental governance took place at Kyoto in 1997. At Kyoto, the 24 rich members of the Organization of Economic Cooperation and Development (OECD) and the European countries of the former Soviet Union pledged to cut their greenhouse gas emissions by 2010. The essence of the Kyoto framework is negotiations to allocate national rights to greenhouse gas emissions. Targets low enough to be effective in halting man-made climate change mean that these emission rights will be worth trillions of dollars, even if such rights were traded among countries.45 A difference of opinion between the North and the South was, once again, clearly apparent. Developing countries did not commit themselves to reduce emissions at Rio (Portugal and Greece expressed similar reservations) arguing that most of the existing greenhouse gases generated by humans were emitted by today's rich countries and that those countries should therefore bear more responsibility for cutting back. At the extreme some observers have suggested that simple distributive justice would require that emissions targets be based on population.46 Developed countries such as the US and Japan were also reluctant to cut back their gas emissions. The negotiating difficulties associated with the Kyoto protocol were later compounded by the decision of George W. Bush's government not to ratify the treaty, once again emphasizing the problems of a "dead letter" regime emerging when a hegemonic power refuses to cooperate.

The dampening of expectations for the construction of a global environmental regime that might begin to address the pressing questions that have so often been raised were once again in evidence in the lead-up to the Johannesburg summit in 2002. Following the lead of the Bush

administration, other industrialized countries such as Britain significantly downgraded their commitment to the environment. The aims of the Johannesburg summit were shrouded in vague language that was virtually impossible to pin down. The UN, for example, aimed for "a political declaration at the highest level" on sustainable development. It also wanted "a negotiated plan of implementation and recognition of the initiatives being taken around the world in support of sustainable development". But what was equally clear was that nobody was sure how such lofty aims would be achieved and, so far at least, no concrete proposals are to be laid before the 106 world leaders who are expected to attend.

Once again, the downgrading of the conference's aims can be attributed directly to pressure from the U.S. government and transnational corporations. In this context, the U.S. is now focusing entirely on pushing a free trade agenda through the World Trade Organization (WTO) and the economic globalization promoted by the market. The main aim is to encourage developing nations to adopt public-private partnerships to foster economic development and protect the environment. Poor countries will also be encouraged to open up their markets and to abide by the rules laid down by the WTO. The irony of all this is that the WTO has already shown its willingness to undermine environmental treaties. But it is most influential behind the scenes, where its rules work to diminish the impact of environmental policy. Ten years on from Rio, then, the prospects for the genuine promotion of environmental justice through the global regime look as far away as ever.

Two key issues emerge from this overview of efforts to create a workable environmental regime over a period of thirty years. First, it is clear that core states dominate the procedural repertoires of set-piece negotiations. And it is equally apparent that powerful states, and especially an increasingly unilateral U.S., are unwilling to submit to the authority of an international regime when it concerns their own "national" interests. Second, it would appear from all of these instances that environmental issues are being push back to the background as issues concerning "international competitiveness" operationalized through neoliberal dogmas take the front row. No longer is the trade-off one between the environment and "sustainable development". Instead the market rules, and environmental agreements are subsumed under these imperatives. From this, what is clearly apparent is that development itself

is being redefined in line with capitalist requirements while the limited success of specifically environmental concerns is palpable.

Non-State Actors and Global Governance

Despite the apparently state-centric nature of the evolving system of environmental governance, there have been some changes that are significant for the conceptualization and conduct of international politics. This should alert us to the fact that international regimes are not best understood through realist analytical lenses. Here we consider the significance of various sets of non-state actors, so-called "transnational civil society", multinational corporations and the international financial institutions, and how they have attempted to shape the environmental regime.

Transnational Civil Society

As noted earlier, one of the key claims of a critical theory of international regimes is that non-state actors - perhaps constituting a potential transnational civil society - is placing constraints on the unlimited authority of the state. This encompasses both the scientific community and transnational environmental pressure groups concerned with the inter-linked issues of sustainable development, the promotion of grassroots democracy, and the protection of indigenous peoples. The strength of such groups rests on their ability to combine the global in the local: to develop and disseminate knowledge, to articulate a powerful set of human values, to harness a growing sense of cosmopolitan moral awareness, and to respond to the multiple weaknesses of the state system, both local and global.48 These forces, according to Mittelman, form the main vector in environmental resistance to the current global environmental regime. To affect international politics and influence the decision-making process, these groups employ both old and new strategies. These include: 1) a social compact which involves public pledge and commitment among signatories for the attainment of the common social good; 2) environmental education with its objective of generating information for action, sharing it with the public, and channeling it to the media; 3) scaling up is a process whereby groups within the civil society broaden their impact by building links with other sectors and extending their reach beyond the local level; and 4) building innovative relationships between social movements in order to directly engage the market and establish an alternative, sustainable ecological system. 48

Social movements have worked locally and globally to influence politics and change widespread behavior. It is through their work that we are made aware of the weaknesses in the existing structure of our society and the depth of our environmental problems. Several factors have enabled global social movements such as environmental organizations to undertake successful transnational actions. These include the following:

- Their skill in focusing worldwide media attention on different environmental crises through various kinds of stunts and the ability to harness the opportunities provided by recent advances in electronic communications
- Their bargaining power with respect to elite agents because of their reputation, close ties to sympathetic scientists, their acquisition of technical expertise and their role in educating the public
- Their access to many cross-issue and transnational networks, coalitions and alliances in which groups may participate and the growing repertoire of techniques available for political protest.⁵⁰

These initiatives have made it possible for social movements to work together with other actors what with the support and access given by the UN to these organizations in many major conferences. Claiming a "transnational or subnational constituency", these social movements have become quite effective in harmonizing actions across borders and peoples. For instance, there has been new "down-to-top" movements attempt to connect local and global environmental issues. 51

From an optimistic reading of these developments, the explosion in the sheer numbers of non-state actors and the use of "global" ideas in the service of local or national environmental aims is a positive phenomenon. The strategic issue for such groups is how to reflect their undoubted grassroots influence at the level beyond the state. For some, the emergence of non-state actors has been accompanied by an increase in their regularized, systematic access to regional, interregional and global forms of governance. This is part of what Woods calls transnational civil society's "demand for status". 52 The result, it is

contended, is that international politics is being recomposed through changes in the procedures, rules and repertoires facilitating non-governmental participation in international regimes, including the environmental regime. Non-state actors, the argument goes, are simply an indispensable part of the processes of negotiation in international politics.

Despite the claims to voice advanced by local and transnational civil society groups the reality of the global environmental regime, already outlined, would seem to suggest a more cautious reading. It is incontrovertible that NGOs are now a permanent feature of the UN environmental process and that they are often able to assume the role of focal shapers of opinion in providing alternative sources of information. However, the quality of civil society participation, is conditioned explicitly by the extent to which non-state actors do not threaten the policy agenda. agreed by member states and other vested interests such as big business. And in this regard, most states avoid the full implications of challenges from below and generally proceed from within the parameters of the dominant market-led approach to policymaking. Across a range of issue areas, not just the environment, the prospects for deepening civic participation and democracy in the formal international arena remain weak.53 Set in this light, civil society participation is confined to the "soft" political forms of lobbying, consultation and dissemination through a process of "controlled inclusion".

Neo-liberal Governance and the Environment

If there are real limits to the extent to which local groups, operating through networks of transnational civil society, are able to affect real influence on the global environmental regime then the same cannot be said for MNCs. Despite the apparent predominance of states in the formal environmental regime that has emerged over the last thirty years, many of the most important environmental policy decisions are not in fact taken by states. Rather they emerge out of the structural changes that have occurred in the global political economy. Here, what is important are the production, technological and trading strategies of a relatively small number of powerful transnational companies and the way they are able to shape regulatory regimes, such as both trade and the environment. Equally, both the generation of many "local" environmental problems and the capacity of states to deal with those problems are heavily influenced

by the pressures and constraints of an increasingly globalized world economy.⁵⁴

What we are seeing today, then, is the way in which the global governance structures are in fact enmeshed. The way that the global environmental regime is presently constitutionalized cannot be separated either from the joint pressures of core states and elements of transnational capital, nor from the agendas of other international institutions that broadly pursue a coherent strategy of neo-liberal governance. As Gill puts it, the global management of the environment cannot be separated from the "constitution of global capitalism" in its neo-liberal form. 55 This much is evident from the role of the WTO which, while it has been proven to be acutely anti-environment, exerts inordinate influence on the agendasetting, decision-making and implementation of environmental "rules". Conca, for example, has enumerated those factors where he maintains that the hyperliberalization of trade generates forms of environmental harm. Chief among these is the undercutting of national policies for environmental protection. The general logic of trade competitiveness creates intense pressures to weaken environmental regulations which may deter foreign investments or raise production costs for exporters. Another is where trade-restricting measures can be important safeguards. because trade provides a loophole through which the letter or spirit of environmental commitments is violated. To use Conca's words, "the threat of a WTO challenge can have a palpable chilling effect".56 The obstacles posed by the WTO can certainly inhibit a government's course of action as well as have certain ramifications for the environmental regime.

The World Bank is also among those institutions that have contradictory views about what constitutes sustainable development. For one thing, it has been an ardent supporter of major developmental projects (for example, dam-building) which have tremendous social and environmental implications. In Brazil, the World Bank and the Inter-American Development bank have supported the Palonese Project aimed at opening up virgin tropical forest in the Amazon for new development. In China, the World Bank-financed Three Gorges Dam on the Yangtze River which will flood thousands of square miles and force three million people to relocate. In Botswana, the Bank has supported large-scale cattle ranching projects that have caused overgrazing of ecologically vulnerable land. The Bank's dam and irrigation projects in the Narmada Valley of India have been

opposed bitterly by grassroots groups trying to save their communities. And in Indonesia, the Bank has supported the emigration of millions of people to unspoiled areas of other islands in the archipelago. These projects, sometimes referred to as "the fatal five" by critics of the Bank, symbolize for many in the developing world the North's continued unwillingness to honor the South's commitment to alternative patterns of development. The activities of the World Bank and the WTO represent for developing countries the continued exploitation of the North, an issue first raised at Stockholm thirty years ago and unresolved until today. The outcome in policy terms is clear: environmental issues are simply subsumed under the logic of market-led "development".

As this discussion makes clear, we are seeing a clash of economic and environmental policies. The domination of powerful multilateral institutions, supporting overtly neo-liberal policies, of states seeking to maximize the logic of "international competitiveness" and of transnational firms pressing for market advantage and profits creates a particular regulatory framework in favor of capital. In doing so, they actively dissuade governments from implementing environmental policies that might "impede" the logic of the market.

Conclusion

On the surface, globalization has appeared open up new opportunities, re-scaling political authority both upwards (to the global level) and downwards (to the local level). For instance, policy-making decisions are today said to be "multi-level", influenced by a lot of different actors affecting the nature of the international politics. Global interaction for one thing has grown tremendously. For some commentators, this more fluid mode of governance offers a means for advancing new policy agendas that deal with some of the world's enduring problems, not least those associated with environmental degradation and development.

But at the same time, it is equally clear that globalization creates new constraints and even consolidates the powers of the already powerful. Within the embryonic structures of global governance it is clear that a particular model of development and the specific structures of the world economy determine, to a great extent, what can and what cannot be done in relation to environmental management and problem-solving. The view of the orthodox approach to governance suggests that there are

painful trade-offs in pursuing any sustainable development program. One such example is the obvious conflict between environmental and economic policies. But there is nothing inevitable about this. Policy choices may be structured by the exigencies of the global economy but they are equally made by powerful actors working in concert to privilege some issues over others. In principle, international regimes can rally different actors into taking cooperative action as well as mobilizing them to pursue sustainable development. However, we must remain realistic about their limitations. As long as the dominant economic development paradigm remains locked into the pursuit of market-led solutions then the scope for the kinds of alternative visions for environmental justice advocated by local and global civil society action looks forlorn.

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