

# Global governance/politics, climate justice & agrarian/social justice: linkages and challenges

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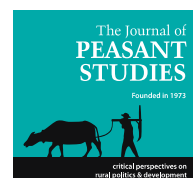
## *Colloquium Paper No. 30*

### Deepening local democracy for a more just global governance regime

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# Deepening local democracy for a more just global governance regime

Emmanuel O. Nuesiri

## Abstract

*Initiatives like the World Trade Organization (WTO) administered Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), the Committee on World Food Security (CFS) led Voluntary Guidelines on Land, Water and Forest Tenure (VGGT), and the United Nations (UN) led Sustainable Development Goals (SDG), show that global governance of life on planet Earth is deepening. A global elite is simultaneously emerging to lead these global governance regimes. To whom are these global elites accountable? The literature on democratizing the operations of international organizations look to global civil society actors including NGOs, social movements, and indigenous people groups to be the democracy watchdogs holding global elites to account. To whom are the global civil society actors accountable? Who do they speak for? Who has authorized global civil society to be watchdogs over the global elite? This paper probes these questions and go on to argue that 'salvation' lies in deepening local place based democracy. The paper then proposes how this deepening of local democracy can be achieved such that it contributes to a more just global governance architecture.*

**Keywords:** global governance, accountability, representative democracy, local government

## 1. Introduction

Global governance of social life on planet Earth has deepened considerably since the formation of the International Labor Organization (ILO) in 1919, and the League of Nations, the precursor to the United Nations (UN), in 1920. Since then we have had the formation of a plethora of international organizations; some of the most influential include the World Bank founded in 1944, the UN founded in 1945, the International Court of Justice (ICJ) in 1945, the Consultative Group for International Agricultural Research (CGIAR) in 1971, the Committee on World Food Security (CFS) founded in 1974, and the World Trade Organization (WTO) founded in 1995. These institutions through binding conventions, treaties, and agreements signed on to by member governments, influence national policies and consequently social life all around the world. Initiatives like WTO administered Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), the CFS led Voluntary Guidelines on Land, Water and Forest Tenure (VGGT), and the UN Sustainable Development Goals (SDG), gives these institution immeasurable power over every person on the earth today.

Who holds these powerful institutions to account to ensure that they are responsive not just to the global elites who run them, but also to the needs of the vast majority of ordinary people all over the world? This is the question that this paper seeks to answer. The paper does this by examining governance arrangement in a global climate change mitigation initiative – the reducing emissions from deforestation and forest degradation and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries (REDD+). This climate change mitigation initiative is part of the mix of solutions to the global climate change crises (Corbera and Schroeder 2011). However, when REDD+ becomes a binding global treaty, it would lead to loss of livelihoods for poor forest dependent people in developing countries (Accra Caucus 2013, Roe et al. 2013). In recognition of REDD+ potential negative impact on local people, the UN Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries (UN-REDD), maintains that it has developed social safeguards to protect local people (UN-REDD 2008, CIF et al. 2010). This paper assesses whether the UN-REDD rhetoric matches its activities.

The paper proceeds through an analyses of UN-REDD governance mechanisms informed by the theory of political representation (see Pitkin 1967, Manin et al. 1999, Mansbridge 1999, Saward 2006, 2008, Urbinati and Warren 2008, Rehfeld 2011, Montanaro 2012). This is further illuminated through a case study of the US\$4 million UN-REDD funded Nigeria-REDD readiness programme (henceforth Nigeria-REDD). Research methods included grey and published literature review, semi-structured interviews during field work in the summer of 2012 and 2013 in Nigeria. The researcher interviewed a total of 125 research participants drawn from local communities, Nigeria-REDD, UN-REDD and local NGO staff. Research methods also included 3 focus group meetings with personnel of 3 NGOs (1 local, 1 national, 1 international), and participant observation while attending a local Council of Chiefs meeting to which this researcher was invited for a question and answer session on REDD.

The paper is organized as follows: section 2 is a review of political representation theory and it argues local democratic authorities are the building blocks to establishing democratic governance in any nation for it is the space where the citizenry can become proficient in articulating needs and demanding accountability from their elected representatives. Section 3 examines the UN-REDD strategy for strengthening local democracy through a close reading of UN-REDD constitutive documents, and a close reading of the Nigeria-REDD readiness proposal designed under the supervision of the UN-REDD. It questions whether UN-REDD rhetoric on local democracy is congruent with its operational activities. Informed by the theory of political representation, section 3 also considers whether UN-REDD strategies for strengthening local democracy is symbolic or substantive. Section 4 concludes the study with a summary of its findings and recommendations on what international organizations can do to deepen local democracy for a more just global governance regime.

## 2. Political representation and local democracy

Political representation is making present in decision-making, the interests of groups who are physically absent (Pitkin 1967, Mansbridge 1999, Urbinati and Warren 2008, Rehfeld 2011). Pitkin (1967) identifies three types of representation – descriptive, substantive, and symbolic.<sup>1</sup> Descriptive representation is when representatives are chosen because they resemble the group they are standing for (Pitkin 1967), or “typical of the larger class of persons whom they represent” in the decision making arena (Mansbridge 1999, pp. 629).

Substantive representation is when representatives act for and are accountable to the represented; the represented are also able to evaluate and sanction their representatives (Pitkin 1967). Substantive representation is morally superior to descriptive and symbolic representation for the accountability checks it places on representatives (Pitkin 1967). It is also socially just and thus the preferred mechanism behind representative democracy (Grunebaum 1981, Kateb 1981, Manin et al. 1999, Mill 2004, Fraser 2005, Urbinati and Warren 2008, Rehfeld 2011).

In representative democracy, representatives are chosen through elections; are responsive to the interests of the represented; and are downwardly accountable (Manin et al. 1999, Rehfeld 2006). Representation is undemocratic when electoral choice, responsiveness and downward accountability are absent. Where undemocratic authorities choose to be responsive to the governed, this is “good despotism” (Mill 2004, pp. 36), or benevolent and or benign dictatorships (Wintrobe 1998, Manin et al. 1999). Democratic representation is a critical instrument for engaging local people in support of initiatives like REDD+ because it is inclusive and a non-violent mechanism for resolving differences (Dahl 1989, Davenport 2007).

Symbolic political representation is when a person or thing (such as the flag) or institution (such as NGOs) represents peoples (or territories) based on shared beliefs, aspirations, norms and world view (Pitkin 1967). Symbolic representatives are appointed following cultural dictates and or executive order, but are not elected, so are not statutorily mandated to be responsive and accountable to the represented. Symbolic representatives legitimize their status and actions by employing iconic images, objects with moral authority, and emotive rhetoric (Edelman 1985, Wedeen 1998). Symbolic representatives sometimes manipulate their affective ties with the represented by inducing support for decisions, which may not be a substantive response to the interests of the represented (Lombardo and Meier 2014).

When symbolic representatives support substantive response to the needs of the represented, this does not make them substantive representatives as their relationship with the represented is still defined by affection and not by accountability relations. When elected representatives’ support symbolic decisions (see Bludhorn 2007, Edelman 1985, Miller 2012), as is often the case when crafting environmental legislation (Matten 2003, Newig 2007, Stavins 1998), this does not make them symbolic representatives as they remain accountable to the represented. In assessing political representation, it is important to note the distinction between types of representation (descriptive, substantive and symbolic) and the acts of representatives which could be self-serving, symbolic, or substantive.

Edelman (1985) asserts that symbolic politics is used by governments to manipulate the public. Brysk (1995) adds that symbolic politics is also employed by non-governmental organizations (NGOs) to influence corporations, governments and the public (see also Keck and Sikkink 1999, Miller 2012, Silveira 2004). Matten (2003) asserts that symbolic politics is the response of policy makers when designing environmental regulations. Symbolic politics is used by Matten (2003) to refer to situations where policy makers talk tough but fail to take action, or craft policies that do not become law, or roll

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<sup>1</sup> Pitkin (1967) actually discussed four types of political representation – formal, descriptive, symbolic and substantive; however, her discussion of formal representation was more of a critique of the limited Weberian understanding of representation as deriving from formal authorization of an agent by the state to represent a constituency to the state or to represent the state to an audience.

out strong regulations with weak enforcement, or enact legislation that legitimize practices already adopted by industry.

Matten (2003) explains that this is because policy makers wish to be seen to be responsive to citizens' concerns but do not wish to antagonize powerful groups like the corporate sector. Stavins (1998, pp. 73) states that symbolic environmental regulations work because "voters have limited information, and so respond to gestures, while remaining relatively unaware of details". Newig (2007) observes that when citizens demand for environmental legislation but express an unwillingness to pay for substantive action, policy makers interpret this as a signal for symbolic legislation. Newig (2007) refers to this situation as societal self-deception.

Bluhdorn (2007) shows that governments use symbolic politics for communicating with citizens, for avoiding complexity related to substantive implementation of policy, and also as replacement action (which may or may not be deceitful) to avoid substantive policy response. Cass (2012) shows that political leaders also enact symbolic environmental legislation as an instrument of foreign policy. They desire to be viewed as good global citizens while avoiding the cost of substantive action. Baker (2007) maintains that transnational bodies like the European Union (EU) subscribes to symbolic environmental politics. She asserts that the EU's declaratory commitment to sustainable development (a transformational paradigm), is symbolic because EU operational strategies in dealing with environmental problems are informed by ecological modernization (a paradigm that allows for business as usual).

This brings us to the question of how accountable is the UN-REDD to local people who will be negatively affected by REDD+? The UN-REDD is an environmental regulation setting regime, for which local people have limited information; the UN-REDD maintains that it would seek for the free prior informed consent (FPIC) of local communities before implementing REDD+ (UN-REDD 2013a). Stavins (1998), Matten (2003), Baker (2007), and Cass (2012) observed that policy makers opt for symbolic over substantive environmental regulations so as not to antagonize powerful interest groups, would the UN-REDD do likewise? The UN-REDD maintains that strengthening local democracy would prevent elite capture of REDD+ benefits (UN-REDD 2008). Would UN-REDD operations conform to its rhetoric?

Local level representative democratic authorities are the building blocks to establishing democratic governance in any nation for it is the space where the citizenry can become proficient in articulating needs and demanding accountability from their elected representative (Sisk 2001, Coleman 2005). The accountability mechanisms including sanctions, may not work that well all the time but they are statutory and mandatory, so elected leaders must pay attention to these mechanisms. Other local institutions like customary authority and NGOs do not have a mandate to be responsiveness and accountable to local people, so when they voluntarily choose to be accountable to local people they at best 'good despot' (Mills 2004, pp. 36).

### **3. UN-REDD and local democracy**

The UN-REDD Programme, was launched in September 2008 and it is implemented by the three major UN agencies involve with environmental change and management – the UNDP, UNEP and FAO. The programme's framework document maintains that the initiative 'grew out of requests from our respective governing bodies and rainforest countries to address issues related to forests and climate change' (UN-REDD 2008, pp. 5). This implies that its legitimacy is dependent on its relationship with the governments that make up the UN.

The UN-REDD programme's rationale 'is to assist forested developing countries and the international community to gain experience with various risk management formulae and payment structures'; its aim is 'to generate the requisite transfer flow of resources to significantly reduce global emissions from deforestation and forest degradation'; and its goal is 'to assess whether carefully structured payment structures and capacity support can create the incentives to ensure actual, lasting, achievable,

reliable and measurable emission reductions while maintaining and improving the other ecosystem services forests provide' (UN-REDD 2008, pp. 5).

Thus the rationale, aim, and goal of the UN-REDD programme reduce the climate change problem to emissions reduction through structured money transfers from developed to developing countries. In response to this core underlying market logic in REDD+ initiatives, FERN et al. (2011, pp. 6) state that 'unless governance factors in forested countries are addressed as a priority, throwing money at the problem will do little to solve it'. The UN-REDD programme is guided by the following 5 principles (UN-REDD 2008, pp. 7):

- i. Human-rights-based approach with attention to indigenous peoples' issues
- ii. Gender equality
- iii. Environmental sustainability
- iv. Results-based management
- v. Capacity development

The framework document states that 'the application of UNDP, UNEP and FAO rights-based and participatory approaches will also help ensure the rights of indigenous and forest-dwelling people are protected and the active involvement of local communities and relevant institutions in the design and implementation of REDD plans' (UN-REDD 2008, pp. 7). The framework document further states that its project execution strategy will include establishing a 'REDD Dialogue' which would bring 'stakeholders together and ensure meaningful participation' (UN-REDD 2008, pp. 11). This implies that the UN-REDD privileges the participatory approach in its working relationship with local actors in its project areas.

On REDD+ compensatory payments, the framework document states that the UN-REDD will explore direct payments to persons with legal carbon rights, and indirect payment through central governments to local governments and local communities. To ensure equitable payment distribution and reduce the risk of elite capture, the framework document refers to the need for 'strong democratic processes in local institutions' (UN-REDD 2008, pp. 12). Principle 1, of the UN-REDD Social and Environmental Principles and Criteria document, states that the UN-REDD will 'apply norms of democratic governance, including those reflected in national commitments and Multilateral Agreements' (UN-REDD 2012a).

The 5 criteria that follow Principle 1 show how the UN-REDD would operationalize this principle in its project site based on key operators of transparency, accountability, legitimacy and participation. Criterion 4, which has to do with issues of inclusion and exclusion, states that the UN-REDD will 'ensure the full and effective participation of relevant stakeholders, in particular, indigenous peoples and other forest dependent communities, with special attention to the most vulnerable and marginalized groups' (UN REDD 2012a, pp. 4). The UN-REDD does not define 'participation' in its glossary of key terms, but defines 'relevant stakeholders' as:

*'...those groups that have a stake or interest in the forest and those that will be affected either negatively or positively by REDD+ activities. Relevant stakeholders include rights holders, those groups whose rights (human rights, customary or statutory rights, and/or collective rights) will be affected by REDD+ activities. These groups include relevant government agencies, formal and informal forest users, private sector entities, civil society, indigenous peoples and other forest dependent communities...'*

Missing from the above listing by the UN-REDD of relevant stakeholders are local government authority. How would the UN-REDD strengthen local democracy if the immediate representatives of local people are not prioritized as relevant stakeholders?

The use of the term stakeholders by the UN-REDD and other international organizations is also problematic. This stakeholder democracy (MacDonald 2008), makes room for the private sector, non-state, and international organizations to be part of decision-making in natural resources governance.

However, it dilutes the rights of citizens to participate in public decisions even if they are not affected, and marginalizes citizens representatives like local authorities because it places them on the same standing like other local stakeholders (NGOs, CBOs and customary authority) (Ribot 2003, 2004). Soma and Vatn (2014) show that when the framing of participatory processes shift from an emphasis on stakeholders to an emphasis on citizens, outcomes shift from favoring private interests to favoring public interests.

The UN-REDD Social and Environmental Principles and Criteria document takes its democratic governance rhetoric from the UNDP's "A Guide to UNDP Democratic Governance Practice" (UNDP 2010). This document states that 'a major part of UNDP's assistance is geared towards advancing local democracy, focusing both on the core representative councils and assemblies and the mechanisms through which people can participate and hold their local government to account' (UNDP 2010, pp. 58). Is this reflected in the UN-REDD ground activities in Nigeria-REDD, which it is funding to the sum of US\$4million?

Nigeria applied for membership of the UN-REDD in December 2009 (Oyebo et al. 2010) and its REDD readiness plan was approved for funding in October 2011 (FME 2011). Nigeria-REDD have a national program and a state level program with Cross River State as the pilot. At the national level, the Nigeria-REDD Secretariat is housed in the Department of Climate Change at the ministry for environment. This ministry works closely with the national advisory council on REDD and the national technical REDD committee. The advisory council is a policy making body, while the technical committee is a working group comprising of UN-REDD and Nigeria-REDD (national and state level) personnel. In addition, at the national level there is the REDD steering committee which is another working group for effective coordination of the work of the Department of Climate Change and the Cross River State forestry commission (FME 2011). There is also a national civil society organizations' REDD forum, a platform for civil society to have a voice in Nigeria-REDD through the Department of Climate Change.

At the state level, the Cross River State government is the apex decision making body for REDD, so it is a member of the national advisory council on REDD. The state government directives are passed on to the Cross River Climate Change Council and to the forestry commission. The climate change council formulates state policy that is passed on to the state's Technical REDD Committee who translates this into a list of activities passed on to the forestry commission. The forestry commission is also influenced by decisions made at the Nigeria National Technical REDD Committee; commitments agreed to at the Nigeria REDD Programme Steering Committee meetings; inputs from the Climate Change Study Group at the University of Calabar; concerns from forest sector NGOs; and by the interests of local communities and customary authorities. REDD activities to be implemented by the forestry commission is carried out by Cross River State REDD team. This institutional structure for REDD+ in Nigeria does not include local government authority but has multiple deliberative platforms, which create multiple level risks of elite capture of REDD+ benefits to local people.

Nigeria-REDD was designed with the active involvement of the UN-REDD Programme. The UNDP National Country Office (UNDP-NCO) is the UN in-country office primarily responsible for administering UN-REDD funds and supervising its use by the Nigeria-REDD team. The UNEP working out of its Nairobi office provides technical support on forest conservation and management in the Nigeria-REDD, while the FAO through its country office in Nigeria brings in expertise on developing national accounting systems for greenhouse gas inventories (FME 2011). The UNDP-NCO in an action plan strategy document for Nigeria maintains that deepening local democracy involves promoting 'stronger linkages and positive interaction between citizens and the first tier of government' (UNDP-NCO 2008, pp. 9). The first tier of government in Nigeria are the local government authorities. Would the UNDP-NCO rhetoric be evident in the Nigeria-REDD readiness proposal document?

The Nigeria REDD+ readiness proposal has 4 principal outcomes and 80 core activities; it is only activity 3.2.3 about 'awareness raising for government officials, state legislators and local governments' that refers to local government in the entire document. (FME 2011, pp 60). This is in contrast to numerous references to the national and Cross River State government, the state forestry



commission and local communities. Why the blind side with respect to elected local government? Based on the reading of all the documents cited above, the UN-REDD and Nigeria-REDD view 'stakeholder participation' as fulfilling UN-REDD (2008) and UNDP-NCO (2008) democratic governance rhetoric. However, Ribot (1996) shows that participation neither amounts to nor assures representation – a key factor in democratic governance.

A UN-REDD personnel asked about the low regard for local government in the Nigeria-REDD readiness proposal said that *'UN-REDD cannot force countries to include the local level...there's a stakeholder engagement aspect looking to include local marginalize people...this include the free prior and informed consent process and concerns for indigenous people...there is also the participatory governance assessment process...to produce governance data...success depends on how civil society actors would use it to hold government to account and how government would use it to do policy'* (UN-REDD Staff 2012).

The response that countries cannot be forced to include the local level in their REDD+ readiness proposal reveals UN-REDD sensitivity to the sovereignty of its member governments. It also exposes the unwillingness of the UN-REDD to use funding as leverage to get member governments to engage responsively with local people. Stating that the effectiveness of the UN-REDD governance model is dependent on civil society using it to hold government to account, shows UN-REDD confidence that NGOs can make governments responsive.

This type of thinking that civil society organizations can make governments accountable and consequently more democratic reflects neoliberal influences within the UN (Mercer 2002, UN 2004, Sadoun 2007, Chorev 2013). However, NGOs in Nigeria have not been able to hold government accountable for its actions (see Smith 2010, Fasakin 2011). NGOs can strengthen democracy when they act as watchdogs, when they empower citizens and local authorities, but not when they are clients of national and international governmental institutions.

The free prior and informed consent (FPIC) process and the participatory governance assessment (PGA) exercise are to capture local people's opinions as they are able to sincerely express it in participatory settings (see UN-REDD 2012b; UN-REDD 2013b). These activities may strengthen the capacity of NGOs involved in their execution but do nothing to strengthen capacity of local democratic authorities mandated to act for local people.

The UN-REDD personnel also stated: *'strengthening local democratic governance is not the main priority of donors'* (UN-REDD Staff 2012). Donors like the Norwegian government fund REDD+ because it is a cheaper means of reducing carbon emissions compared to regulating industries and restructuring their economy (Norwegian Government 2007, Eliasch 2008, UN 2008, Dyer et al. 2012). REDD+ allows donor countries to support global initiatives to mitigate climate change while allowing for business as usual (Cass 2012). Market and technocratic concerns dominate discourses on REDD+ showing it to be an ecological modernization project (Baker 2007, Salleh 2010, Dyer et al. 2012, Roe et al. 2013, Nielsen 2014).

## **Conclusion**

This paper questions UN-REDD commitment to strengthen local democracy as a REDD+ safeguard, by examining the representation of local people in the consultative process that led to the US\$4 million UN-REDD funded Nigeria-REDD. This is because REDD+ threatens to exacerbate poverty in forest dependent communities. The UN-REDD is rightly convinced that strong local democratic institutions will ensure that REDD+ financial benefits meant for local people are not captured by elites. However, UN-REDD is a global governance regime for which local people have limited information and are thus vulnerable to symbolic actions that may seem to protect local people, while advancing non-local interests.

The study finds that UN-REDD views NGOs as sufficient partners for pursuing a responsive democratic governance agenda. NGOs representative claims to speaking and standing for local people

is based on shared socio-ecological and development discourses, which create affective linkages between NGOs and the aspirations of local people, for social justice and poverty alleviation. Unlike elected local authorities mandated to be responsive and accountable to their constituents, NGOs cannot be held to account by local people.

The study finds that the UN-REDD approved the democratically weak Nigeria-REDD readiness proposal because it trusts that local NGOs would be effective partners pushing for a responsive democratic governance agenda in Nigeria-REDD. It also approved Nigeria-REDD with its governance flaw because it was sensitive not to be seen as telling the Nigerian government authorities how to go about its business. Lastly, it approved Nigeria-REDD because it judged that its donors would not be too concerned with its weak attention to democracy as their focus is more on the market and technical aspects of REDD+. Thus the UN-REDD subscribed to symbolic politics in approving the Nigeria-REDD readiness proposal.

This finding that an international organization with a global governance agenda is subscribing to symbolic politics in its dealing with the public is not unique. As stated earlier, Baker (2007) maintains that the European Union (EU) subscribes to symbolic environmental politics in its commitment to sustainable development (a transformational paradigm), because EU operational strategies in dealing with environmental problems are informed by ecological modernization (a business as usual paradigm). How can this be changed?

In the case of the UN-REDD, it should not engage at the local level with only non-state actors like NGOs, but should engage as deeply with elected local government authorities to build their democratic capacity. Where democratic local governments do not exist, the UN-REDD should encourage initiatives moving local governance arrangements in a democratic direction. The UN-REDD should carry out its FPIC and PGA in full partnership with local government authorities, and invite them to participate in UN-REDD board meetings. If all international organizations engaged with local government authorities this way, instead of limiting their engagements to NGOs, it would bring them one step closer to local people, make their activities more transparent and increase downward accountability to the local level.

Strong local democracy is the basis for strong democratic governance from the local to the global level; thus the UN guidance note on democracy states that “strong and effective local democratic institutions are an underlying basis for a healthy democracy... are more accessible for citizens to question local officials...present their interests and concerns and resolve their disputes...and can be an arena for attracting new political actors, including women and young people” (UNSG 2009, pp. 8). Therefore, to deepen global democracy and make global elites more accountable for their actions, international organizations must innovatively engage with and strengthen the capacity of local democratic authorities all over the world.

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