"Global environmental (in)equity and the cosmopolitan project"

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Global environmental (in)equity and the cosmopolitan project

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Abstract

This paper examines the relationship between economic globalisation and environmental inequity which is defined in terms of transnational harm and injustice. It argues that globalisation has been neither normatively neutral nor materially benign in its environmental consequences. The global politics of the environment has therefore come to be characterised by inequities in the use of resources and production of waste, in environmental impact, and in access to the structures of environmental governance at a local and global level. In effect, the lives of others-beyond-borders are shaped without their participation or consent. Drawing on cosmopolitanism as an ethical and political practice suggests that at least three conditions are essential for an equitable and just form of global environmental governance: recognition of equal moral obligation across borders, compensatory burden-sharing and a politics of consent. However, actual global practice on the environment has fallen short on each, complicated and compromised by uncertainty over the role of the state as moral agent in a globalised world.

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Introduction

Environmental change has become synonymous with globalisation and deterritorialisation. It is now taken as evidence of a globalised world, bound up in the economic practices of globalisation, demonstrative of the ecological one-ness of the planet and demanding of some form of globalised governance in the face of a state in the throes of a crisis of capacity and legitimacy. The global(ised) politics of the environment is also firmly embedded in and characterised by social, economic and political inequities in which those who are already marginalized are made disproportionately worse off in both a material and social sense. The debate about global environmental change is therefore fundamentally one of 'informed ethics and morality' (Caldwell, 1990: xiii). Solutions to the challenges of environmental change must therefore do more than legislate and regulate for appropriate technological and economic behaviour. They must also address and resolve questions of (in)justice and (in)equity.

In considering this issue further, this paper poses three questions:

- What is the ethical basis for addressing the environmental inequities that are embedded in the material and social process of globalisation?
- What forms of institutional and political practices might follow logically from such an ethical basis?
- To what extent has this ethical and political project been realised in the practice of the global politics of the environment?

The global politics of the environment has become a liberal politics of the environment, dominated by concerns about stakeholder democracy on the one hand and the priorities of a neo-liberal economy on the other. This fundamentally neo-liberal hegemony - itself at the heart of economic globalisation - has been demonstrably incapable of dealing with environmental decline or the inequities attached to it. I suggest here that an ethic and a political practice which take their cue from cosmopolitan theory and the contemporary cosmopolitan project may provide a more normatively sound base from which to articulate a more equitable and just global environmental governance. There would seem to be good reasons for adopting a cosmopolitan approach to problems of the environment, not least because environmental decline transcends national borders and places limits on national as

well as individual autonomy. Debates about redistributive and environmental justice, moral obligations to those who are not our co-nationals (and, indeed, to non-human species and future generations), communicative and democratic governance and the whole issue of transnational harm which characterise the contemporary cosmopolitan problematic are central to the global politics of the environment.

Globalisation and environmental inequities

The environmental agenda is extensive and there are few environmental problems which are now not subject to some kind of international debate and agreement, either because they affect the global commons or shared resources, because they generate transboundary externalities, or because they are so widespread as to qualify as problems of common concern.[2] The challenges are exacerbated because scientific evidence confirms that environmental degradation is happening at a magnitude and rate higher than at any time in human history, not as a result of cataclysmic events but the everyday practices of human economy and society.

Emissions of greenhouse gases have continued to rise, increasing concentrations to levels significantly higher than at the beginning of the Industrial Revolution (IPCC, 1995: 4). The second full assessment report of the Interngovernmental Panel on Climate Change (IPCC) argues that on the 'balance of evidence' there is a 'discernible human influence on global climate' (1995: 5). The consequences are no longer the realm of futurology: the average rate of warming could be greater than at any time in the last 10,000 years. The loss of species and genetic diversity is estimated at 100 to 10,000 times higher than the pre-human rate (World Resources Institute (WRI), 2000). Deforestation in both tropical and temperate forests continues at an average rate of about 12 million hectares: up to 40 percent of the world's rainforest has disappeared in the last three decades. Desertification affects between 25 and 35 percent of the earth's land surface and between one-sixth and one-quarter of the world's population. Many of the world's fisheries (accounting for about 16 percent of the world's protein source) are either over-fished or close to exhaustion. Up to 34 percent of all fish species could be at risk from human activity (WRI, 2000). The per capita availability of water

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[2] For more on the the global politics of environmental change, see Elliott, 1998.

continues to decline. More than 80 countries, primarily the poorer ones, are now facing severe water stress - and this figure is expected to rise.

The proximate causes of environmental degradation lie in unsustainable economic activity, whether in pursuit of the daily basics of life (however defined) or in corporate pursuit of profit. Its systemic causes, however, cannot be separated from the working of the world economy and the material and social processes of globalisation. Globalisation is understood here as the intensification in the scope, frequency and ease of economic and social transactions across borders, along with the progressive liberalisation of the world economy. Globalisation expands the arena of social and political interconnectedness and demands a reassessment of justice and the extent and content of moral obligation.

Within a globalised world economy, inequity between rich and poor countries and peoples, unequal access to the world's trading system, the paucity of international development assistance for basic human needs, the lack of appropriate investment in the poorest parts of the world, and the ever growing burden of developing country debt are entwined with environmental degradation in a complex cause and effect relationship. The enmeshing of local economies in the globalised world economy through trade and investment, as well as the servicing of debt, contributes to unsustainable practices that have local environmental and social consequences. A couple of examples will suffice. David Humphreys (1996) has demonstrated how the causes of deforestation are embedded as much in global transactions as they are in local subsistence practices. Dryzek (1999: 275) notes the environmental consequences for peasants in Mexico of that country's commitment to export-oriented development. The dominance of industrialised agriculture as local producers are unable to compete with cheap imports has driven peasants off their land, often forcing them to use what land is available more unsustainably, and has increased water and soil pollution from excessive fertiliser use.

Rather than providing the basis for increased welfare, economic globalisation has enabled major centres to draw on the ecological capital of other (usually developing) countries or poorer communities. The export and displacement of pollution and environmental degradation from the industrialised world has been facilitated by the increase in global trading and direct investment. It has enabled high levels of consumption by the rich at the continued expense of the poor. The institutions, in the broadest sense, which have been most

advantaged by the practices of globalisation - the industrialised countries although admittedly not all peoples within them, business and transnational corporate actors and global economic elites - are those most responsible for global environmental degradation.

Environmental change has thereby become a product *and* a measure of global inequity. Inequity is examined here in two related ways. First, drawing on Linklater's work (see, for example, Linklater, 1999), it is defined in the context of 'transnational *harm*' in which the consequences of particular activities - the environmental consequences of economic activity in this case - are *displaced* across space and time in such a way that harm is caused to others (including future others) who have not contributed to the problem. In other words, it is unfair and inequitable that some are harmed by activities not of their own making. Second, inequity is understood in terms of *injustice* whereby those who are harmed are left disproportionately worse off. In other words, it is unfair and inequitable that those who contribute less to the problem, end up suffering more and those who contribute more, suffer less.

Based on these definitions, we can identify at least three forms of environmental inequity. The first arises in the disproportionate consumption of resources and production of waste. The visible consequences of environmental degradation - such as deforestation, desertification, pollution and loss of habitat for example - are concentrated more in developing countries. The invisible causes, on the other hand, are embedded in the ecological shadow cast by the industrialised economies. Affluence rather than poverty remains the primary and disproportionate cause of global environmental degradation. In 1998, the richest 20 per cent of the world's population, mostly concentrated in industrialised countries, accounted for 86 per cent of total private consumption expenditure, consumed 58% of total energy, owned 87% of the world's vehicle fleet (a major cause of atmospheric pollution) and emitted 53% of the world's CO_2. The problems are made more complicated because much economic activity is now located in corporate hands. As Redclift and Sage remind us, 'common property resources throughout the globe are being privatised at an alarming rate' (1988: 512).

The second measure of environmental inequity explored here involves the disproportionate impact of environmental change. The consequences of environmental change reinforce the pattern of winners and losers of economic globalisation. Those who are most immediately and disproportionately hit by environmental decline are those who are already economically

and politically marginalized - the poor, including indigenous peoples and women, especially but not exclusively in the developing world. It is the poor and disadvantaged, regardless of location, who are least able to buy their way out of the consequences of pollution, environmental degradation and resource scarcity. Material inequities reinforce practices, such as over-use of water resources or arable land, which result in local environmental degradation and unsustainable development. Environmental and resource inequities are more than a statement of geography. Countries that are already ecologically and economically vulnerable face such challenges in part because of the past extractive practices of colonialism sometimes compounded by a legacy of repressive and corrupt regimes. They are less able to control the causes or mitigate the impacts of environmental change without assistance.

Problems such as climate change demonstrate that the commons is indivisible - the impacts will be felt planet-wide regardless of contribution - but they are marked by obvious inequities in cause and consequence. The United States, which constitutes four percent of the world's population, is responsible for 25 percent of the world's greenhouse gases. The most immediate impact will, as the Intergovernmental Panel on Climate Change reports, be felt in areas such as the low-lying island states of the Southeast Pacific and the Indian Ocean, or in archipelagic countries such as Indonesia, or in countries with extensive river delta systems, such as Bangladesh. Industrialised countries, however, have insisted on invoking the 'global' to demand that all countries - including developing ones - should commit to mitigation strategies and targets in the face of 'common' problems. This very neatly avoids the fact that the 'global' and 'common' problem remains one created and sustained very much by the activities of a few. The consequences are also more than immediately ecological. For example, rising sea levels and changing weather and climate zones will affect agriculture, biodiversity, fisheries and water resources. These, in turn, implicate food (in)security which is both harmful and unjust. Even within countries suffering food shortages, the impact is not evenly spread. Women and children suffer most when food supplies are uncertain or made more uncertain.

Inequity is evidenced not just in disproportionate consumption of resources and unequal environmental impact. It arises also – and this is the third theme – in the politics of inclusion and exclusion from the practices and structures of environmental governance. Those who are most affected by the displacement of environmental harm are more likely to have limited access to decision-making about environmental protection, sustainable development and the

use of resources within countries and internationally. The reasons lie in both deliberate policies of marginalisation and structural asymmetries of power and access to knowledge and influence. The environmental politics of gender and indigeneity demonstrate this double inequity. For women and indigenous peoples, the disproportionate impact of the causes and consequences of environmental degradation on their daily lives and, in the case of indigenous peoples, their cultural as well as physical survival are symptomatic of the biases of a more extensive structural inequality. Unequal and inequitable allocation of resources, including access to commons or traditional lands, to decision-making authority over the resources and environmental services of daily life, compound the problem.

The solution to both environmental degradation and environmental inequity has come to be widely accepted as resting on two interconnected conditions: an open (and therefore globalised) international economic order and the creation of wealth. A liberal international economic order - characterised by free[r] trade, the free movement of capital and limited interference in the market - is argued to be essential for increased economic welfare which, in turn, is assumed to provide the basis for greater equity. As Rengger observes, the dominant view is that minimal regulation of the world economy 'will lead to greater prosperity for all' and that justice is 'impossible without wealth creation' (1999: 471). Economic growth - or 'high[er] levels of productive activity' (WCED, 1987: 44) - is also understood to be a precondition for environmental protection: as people become better off, the reasoning goes, they are less likely to need to engage in environmentally damaging behaviour in pursuit of the basic necessities of life. Poverty and the poor have been demonised for having the 'propensity to engage in environmentally destructive patterns of behaviour' (El-Ashry, 1993: 84). Yet, as noted earlier, on almost any measure rich peoples and countries consume more resources and produce more waste than do poor peoples and countries. Further, while poverty alleviation is an essential feature of global justice, economic growth - or what the United Nations Development Progamme now calls consumption growth - has not translated into either significant poverty alleviation or a better environment. As the UNDP's own figures show, the increase in global wealth has not been accompanied by an increase in global income equity (see UNDP, 1998). Industrialised countries continue to share in the burden of unsustainable development through disproportionately unsustainable patterns of production and consumption. What this means is that the 'quality of the lives of others is shaped and determined in near or far-off lands without their participation, agreement or consent' (Held, 1997: 244).

Cosmopolitanism

The globalising of environmental change represents what Beck calls the 'cosmopolitan paradigm of the second age of modernity' (2000: 83). The territorial integrity of the state appears increasingly vulnerable in the face of environmental as well as other challenges, anticipating a post-Westphalian order in which sovereign statehood and territoriality are loosening their grip on modern political life' (McGrew, 1997a: 19). Doubts about the states' ability to fulfil the social contract to provide its citizens with security and justice - in this case a secure environment and environmental justice – or to defend same citizens against external environmental threats create ambivalence about its normative appeal as the basis for political community. Sovereignty and the pursuit of national interest remain normatively strong even as the role and capacity of the state is being challenged and reworked by the processes of globalisation and environmental change. The biophysical complexities of the planetary ecosystem define it as a global commons and a public good, extending the bounds of those with whom we are connected, to whom we owe obligations and against whom we might claim rights. It creates, in effect, a cosmopolitan community of reciprocal rights and duties.

The cosmopolitan ethic rests on the proposition that humanity is ultimately bound together as a single moral community with shared rights and obligations that transcend the 'morally parochial world of the sovereign state' (Linklater, 1998b: 26). The consequence of such a world is that, as Kant avowed, a right violated anywhere is felt everywhere. We therefore have a moral obligation to those who are not our co-nationals, a position Falk describes as an 'ethos of responsibility and solidarity' (1996: 499). Justice, as O'Neill argues, is therefore 'owed [equally] to all, regardless of location or origin, race or gender, class or citizenship' (2000: 45). This stands in contrast to a communitarian position which, while not necessarily rejecting the proposition that peoples within a state can or should have duties or obligations for justice to those beyond their borders, attaches moral priority to the community bounded by the state. But, as Andrew Linklater argues, the 'moral claim that insiders come first is ethically insecure in the context of increasing transnational harm' (1999: 480-1).

As an ethical project, cosmopolitanism faces a number of challenges. The liberal Enlightenment tradition has imbued cosmopolitan thinking with a legacy of concern with individual autonomy that is argued to hold universally. As Thompson observes, '[t]raditional cosmopolitanism is based upon the moral premise that all individuals deserve respect as

autonomous agents' (2001: 140). It is from this value that other rights, duties and institutions (including environmental ones) are assumed to derive. The first challenge for an ecologically sensitive cosmopolitanism is how to accommodate this emphasis on automony. As Tully notes, most ecologists would not rate autonomy as highly as do liberal cosmopolitans (2001: 148). In Kantian terms, environmental harm and the inequities that it engenders represent a threat to the autonomy of states and peoples. With respect to the environment, and the liberal cosmopolitan commitment to autonomy, those who are most disadvantaged do not have the 'liberty' to choose whether they harm the environment or not, nor whether they are harmed by the environmental impact of the activity of others.

This does not, however, resolve a second challenge which is whether transnational moral responsibility translates only into a negative requirement not to harm others or hinder their efforts to provide a minimum for themselves or whether there is a positive requirement to assist. What, for example, constitutes a 'rightful share' or a proportionate impact? In particular, does 'autonomy' require an equal share of material benefits, or only a minimum to ensure that basic needs can be met and harm limited?

Henry Shue, among others, has sought to identify cosmopolitan principles of environmental equity in this context. He argues that an equity principle in the global politics of the environment would first involve compensatory burdens on the part of the rich developed countries whose past actions have created environmental inequity, especially because the 'damaging behaviour has continued unabated long since it became impossible to plead ignorance' (Shue 1999: 536). Shue claims also that the application of equity must take account of greater ability to pay for mitigation of environmentally damaging behaviour and adapation to environmental change. This implements, in effect, a progressive rate of payment. It also requires that those who are already the worst off are not made worse off still - thus effecting a guaranteed minimum in ecological as well as material terms. This is potentially more than just respect for liberty and autonomy. Rather, it involves social rights to resources and benefits (Thompson, 2001, p.141). This suggests that the social dimensions of human rights and justice, expressed in solidarity (or fraternity) principles are equally as important as the individual ones of liberty and equality (see Bosselmann, 2001). In practice, environmental justice would involve, at minimum, enhancing the transfer of resources to developing countries. It would also involve international legislative programmes that would effectively

restrict or minimise the ecological footprint of those who have a disproportionate impact on the environment.

A third challenge for an ecologically sensitive cosmopolitanism lies in the translation of the ethical project into the political practices of global environmental governance. As a political project, cosmopolitanism is tied to demands for a 'rights based system of global governance' (Kaldor, 2000: 7). The commitment to 'outsiders' goes beyond Kant's cosmopolitan right to hospitality to include a powerful normative commitment to the creation of democratic or humane forms of global governance. This cosmopolitan democratic imperative requires new forms of global political community based on the principles of dialogue and consent rather than power and force, and on the construction of universal frameworks of communication (see Linklater, 1998c). This ensures that those who are most vulnerable, powerless and marginalized are empowered to refuse, renegotiate and contest (O'Neill cited in Linklater, 1998a: 28). These political arrangements are embedded in a growing body of international law which includes both democratic and humanitarian principles. This is not simply an intellectual account of the good political community. Rather, as McGrew points out, it identifies the political possibilities inherent in the present (1997b: 252) and, as Cheeseman observes, 'seeks to put in place the means to translate these into future actualities' (2001).

Two key political demands derive from this binding together of peoples as an ecological 'community of fate'. First, such a community 'rightly governs itself and determines its future' (Held, 1997: 239). Second, 'people should be free and equal in the determination of their own lives, so long as they do not deploy this framework to negate the rights of others' (Held cited in Achterburg, 2001: 192). In effect, those who are most affected must be heard and decisions about the protection of the environment and allocation of resources must be subject to democratic control. Accountability and transparency, along with participation, are seen to be intersubjectively and practically bound up with autonomy and dignity. In this context, cosmopolitan governance requires democracy within states, the extension of democratic practice to relations among states and the enhancement of democracy within global institutions. As Tully points out, if 'environmental justice is to be democratic, then the principles, values and goods that are brought to bear ... must be open to democratic discussion and debate' (2001: 148). In practical terms, cosmopolitan scholars have called for a reformed United Nations capable of living up to its Charter; regional parliamentary and legislative parliaments as legitimate sources of law; the entrenchment in democratic public

law of a range of rights; and an assembly of all democratic states and agencies, including a second global chamber (of the UN) in which non-state voices are represented and heard (see Held, 1997; Archibugi, 1998; 2001).

Cosmopolitan scholars have been keen to deflect two criticisms of this political project. First, that it acts as a Trojan horse for western values or interests in 'some version of Western petit-bourgeois morality inflated to megalomania' (Beck, 1999: 54). Second, that the project of universalising autonomy is one which 'smothers difference' as Robertson-Snape puts it (2000: 512). It is in this context that the politics of consent and the expansion of the cosmopolitan political sphere becomes ethically and politically crucial. For the most part, the cosmopolitan political project is not a plea for world government. Rather, humanity is argued to form a political (and dialogic) community in which centres of power are diverse and overlapping and in which structures of governance are (or should be) representative, accountable and democratic. Democracy in the cosmopolitan sphere, Köhler argues, 'provides the conditions for non-discriminatory discourse within and among societies' (1997: 390). In such a 'global' cosmopolis, the state is de-centred (but not dismissed) as political actor and as moral agent and subject or, as Archibugi puts it, 'deprived of [its] oligarchic power' (2001: 204). This equates with a 'globalisation from below' in which local voices do more than legitimise global democracy. They constitute an autonomous source of political and communicative power that serves also to sever the link between democracy and the state (on the latter see Dryzek, 1999: 277).

In summary, then, cosmopolitanism identifies at least three components of a just and equitable form of global environmental governance: an ethical statement of equal moral obligation across borders; a practice of compensatory and assistive burden-sharing; and a politics of consent evidenced in global democratisation and the cosmopolitan political sphere.

Cosmopolis in practice: the global politics of the environment

The political globalisation of environmental change dates at least to the 1972 United Nations Conference on the Human Environment (the Stockholm Conference). The momentum of Stockholm faded rather quickly. It was not revived until the early 1980s when, in 1983, the United Nations General Assembly established an independent expert commission to propose 'long term environmental strategies for achieving sustainable development to the year 2000

and beyond' (UNGA, 1983: para 8(a)). The Commission thus established - the World Commission on Environment and Development - reported to the General Assembly in 1987. Its report confirmed sustainable development (a term it did not invent) as the leitmotif of the international environmental lexicon and also gave credibility to the cosmopolitan notion that the future was one held in common, echoing the common security theme of the Palme Commission. The political rhetoric of the late 1980s was characterised by a sense of urgency. In 1989 the G7 called for 'decisive action to understand and protect the world's ecological balance' (cited in Fairclough, 1991: 96) despite their own demonstrated unwillingness to take such action. The UN General Assembly declared the deterioration of the environment to be 'one of the main global problems facing the world today' (UNGA, 1989).

This 'cosmopolitan' voice seemed confirmed by the United Nations Conference on Environment and Development, established by General Assembly resolution in December 1989 and convened in Rio de Janiero in 1992. The Rio agreements - all of them non-binding - adopted the rhetoric of an equitable and global partnership for sustainable development (see UNCED, 1992a; UNCED, 1992b). In 1997 the United Nations General Assembly convened a Special Session (UNGASS) to undertake a five-year review of the implementation of Agenda 21, the programme for action adopted at Rio. The apparently cosmopolitan spirit of Rio had weakened substantially. Governments were unable to reach consensus on a political statement and, despite adopting a programme for further implementation, could find little to agree on except that 'five years after the Rio Earth Summit, the planet's health is generally worse than ever' (UNDPI, 1997).

i.   cosmopolitan ethics

The rhetoric associated with the processes described above has more than a hint of cosmopolitanism to it although, as argued below, in practice little has been done to give it concrete form. Principle 21 of the Stockholm Declaration, adopted in 1972, drew on earlier international legal decisions to affirm that states had a responsibility to limit environmental damage beyond their borders, in effect to minimise harm. The clearest 'official' articulation of a cosmopolitan ethic of justice remains that offered in the 1987 report of the World Commission on Environment and Development (the Brundtland Commission). The report's title, 'our common future' encapsulated the interconnectedness of the planet's ecosystem and our dependence on it. The Commission argued that sustainable development was in the 'common interest' because 'ecological interactions do not respect the boundaries of individual

ownership and political jurisdiction' (WCED, 1987: 46). In elaborating its view of a sustainable future, the Commission acknowledged that sustainable development demanded attention to equity and justice. It made clear that its purpose was to contribute to the building of a future that was 'prosperous, just and secure' (WCED, 1987: 363) and that we have a 'moral obligation to other living beings and future generations' (WCED, 1987: 37).

Despite its vagueness, the Commission's definition of sustainable development reflects a concern with equity and autonomy. Sustainable development is development that 'meets the needs of the present without compromising the ability of future generations to meet their own needs' (WCED 1987: 43) thus giving some force to the concept of intergenerational equity. The Commission also noted that failure to meet this common interest was intimately connected with the 'neglect of economic and social justice within and amongst nations' (WCED 1987: 47). However this emphasis on justice as a key feature of environmental governance and sustainable development has been overshadowed by the report's commitment to continued economic growth, the maintenance of a liberalised world economy and the articulation of a key role for corporate actors.

This image of a shared vulnerability to and responsibility for global environmental insecurities has been reproduced in the metaphors of a 'global partnership', which accompanied the 1992 Rio Summit, and a 'global neighbourhood', the title of the 1995 report of the Commission on Global Governance. The Rio Declaration reaffirmed states' obligation to minimise extraterritorial or extra-jurisdictional environmental harm (although, as with the Stockholm Declaration, the importance of state sovereignty over its resource and environmental policies took precedence). The Declaration called also for a 'new and equitable global partnership' but in general provides little in the way of an ethic of cosmopolitan responsibility.

Other principles also seek, at least on the face of it, to incorporate into law and political practice an ethic of justice by widening the scope of those to whom obligations are owed in international law beyond states and present generations. The principle that the ecosystem constitutes a 'common heritage of humankind' has been reworked from its original concern with sharing the benefits of resource exploitation (although that in itself has some aspect of a compensatory burden) to one that expresses, in theory at least, the imperatives of shared environmental stewardship. In practice, however, governments have been unwilling to accept

the responsibility that accompanies such a common heritage and have been cautious about committing to a global conceptualization of environmental change. Atmospheric problems have been defined in international agreements as a common *concern* but not a 'commons' concern. The politics of negotiation under the 1882 UN Framework Convention on Climate Change and the 1997 Kyoto Protocol demonstrate that at least some of those countries most complicit in climate change define 'fairness' in ways to advantage their own economic interests and have paid little attention to the harm caused to others by such economic activity. Industrialised countries have generally been reluctant to identify desertification as a 'common' or 'global' problem for fear that they might be required to contribute financially and technologically to its resolution. On the other hand, developing countries have resisted deforestation being defined as a common or global problem unless some form of compensation is granted. As one Brazilian diplomat put it, 'if the Amazon is a world resource, the world will have to pay for it' (cited in Woodliffe, 1991: 69). The idea of a shared heritage, and the moral obligations that might arise from it, arises also in the developing discourse on human rights and the environment. This has been on the international policy agenda for over two decades but with little to show in terms of either soft or hard law (see Bosselmann 2001; Foster, 2001). Rights to a clean environment tend to be aspirational and rather vague although they do provide what Schwartz (cited in Bosselmann, 2001, p.122) calls a 'surrogate protection' against environmental harm.

ii.   *burden sharing*

Burden-sharing, as noted above, is also central to a cosmopolitan practice in the global politics of the environment. In practice, this has primarily focused on managing the political relationship between rich and poor countries, with rather less attention paid to the issue of justice for or moral obligation to poor peoples. Political debates have focused on three key questions. As Nitze puts it (1993: 39-40 should the rich countries be required to make substantial reductions in their own emissions and rates of natural resource depletion before the developing countries assume obligations to do likewise? Should the rich countries commit in advance to pay to developing countries the incremental costs of reduction in pollution and resource depletion (and what might those incremental costs be)? Should developing countries have preferential access to Western technologies on non-commercial terms to help their economies develop in a more sustainable manner?

The ethic of burden-sharing is most notable in the principle of common but differentiated responsibilities which was intended to moderate differences between developed and developing countries over relative responsibilities and obligations. The 1992 Rio Declaration requires, in principle 6, that the special needs of developing countries be given priority. Agenda 21, the programme of action to give effect to the Rio Declaration and to implement the global partnership for sustainable development, included chapters on financial resources and technology transfer, the eradication of poverty and on changing consumption patterns with a particular emphasis on industrialised countries. A number of key multilateral environmental agreements also refer to the importance of 'special provision' to meet developing country needs, or require developed countries to mobilise new and additional financial resources, or acknowledge that developed countries must take the lead in resolving particular environmental problems (such as climate change for example).

In practice, burden-sharing has become one-sided and driven by risk prevention for the North (see Shiva 1993). Despite hints of a cosmopolitan ethic and the rhetoric of fairness in principles such as common but differentiated responsbilities, in practice rich countries have been reluctant to adopt policies that would minimise transnational environmental harm (unless there is a prior domestic benefit to be gained). Nor have they been willing to commit the kinds of material resources required to help the most disadvantaged to recover from the consequences of environmental damage or to minimise their proximate impact on the environment in the absence of what might be called 'autonomous choice'. Global funding for sustainable development remains unacceptably low and the recent emphasis on foreign direct investment rather than official development assistance has meant that the poorest countries are increasingly disadvantaged. The key body for meeting the requirements of burden-sharing – the Global Environment Facility – is controlled effectively by the World Bank and is constrained by its mandate to fund only those projects which can demonstrably show that they will have a 'global' rather than local benefit.

iii.   *democratisation, participation and the cosmopolitan public sphere*
There is a general liberal optimism about the increasing web of multilateral environmental regimes and new norms. In general this optimism has been misplaced. The mechanisms of environmental governance do not 'institutionalise global responsibility' despite some claims to the contrary (see, for example, Wapner, 1998: 283). The normative interests of the state

remain evident in the dominance of sovereignty claims and national interests that are pursued at the expense of cosmopolitan values and at the expense of the environment.

The United Nations remains the public face of global environmental governance. Despite recent flurries of reform, the United Nations and its environmental bodies remain restricted in their efforts to implement their environmental responsibilities by lack of financial and political support (for more, see Elliott, 2001). Real authoritative and executive institutional power in global environmental governance is located either outside the UN, or in ways that make transparency and accountability difficult to sustain as evidenced by the role of both the World Bank and the World Trade Organisation. While the World Bank has been slowly and unevenly adopting practices that are more participatory, more consultative and more attentive to justice and equity, such claims can hardly be made for the WTO which remains implacably opposed to openness to civil society and seeks often to dismiss concerns with equity and harm as 'social dumping'. This is not states (or intergovernmental institutions) acting as 'local agents of the world common good' as Hedley Bull put it (cited in Linklater, 1999: 478).

As noted above, cosmopolitanism requires that individuals are able to pursue and enact their rights in transnational and international structures of power (see Held, 1997: 246). Liberal concerns for better governance have seen some improvements in the public democratisation of environmental diplomacy and politics. The World Commission on Environment and Development adopted a consultative strategy that made it accessible to local voices with little opportunity otherwise to be heard in global institutions. At Rio, although not the first example of NGO presence and participation in such UN processes, conference secretary-general Maurice Strong was insistent that the preparatory process and the conference proper would accommodate NGOs who could demonstrate that their interests were directly relevant to the UNCED agenda. The extent of NGO influence over the outcomes of Rio, however, remains a matter of some conjecture even among the NGOs themselves. They were able to provide some degree of transparency, accountability and expertise. In one sense, then, they were not simply the objects of democratisation. They were its agents - they helped to create it and in ways that some governments might not have expected or necessarily welcomed. Despite this, participatory opportunities decreased as the preparatory process for Rio drew to a close. At the fourth PrepComm in New York, UN security officers were deployed to ensure that NGO representatives were excluded from informal consultations, the small meetings at

which many of the final decisions and compromises were reached, an exclusion that continued at Rio itself.

The Rio Declaration recognised quite specifically that women and indigenous peoples have a 'vital' role to play and that their 'full participation' (in the case of women) and their 'effective participation' (in the case of indigenous peoples) is essential to achieving sustainable development. Agenda 21 made great play of the principles of democracy and transparency and devotes several chapters to what are there called the 'major groups' or the 'independent sector'. It acknowledges their roles as partners in the pursuit of sustainable development, requires governments to involve them in decision-making and implementation, and stresses the importance of access to information and knowledge about environmental problems and policies (an essential component of 'autonomy'). The Commission on Sustainable Development, established after the Rio conference, has made much of its multi-stakerholder dialogues. At UNGASS, for the first time, NGOs were able to deliver speeches to the Plenary session and have access to ministerial level consultations.

In general, the creation of a political space in the global politics of the environment for actors other than states has been justified on the grounds of democratic pluralism, efficiency and effectiveness rather than autonomy and justice. Decision-making by governments and the implementation of legislative and regulatory frameworks is argued to be more effective if all stakeholders are represented and if the legitimate interests of actors other than states are recognised. Greater inclusiveness can only be welcomed as a precondition for sustainable development and more effective environmental outcomes. But the whole issue of rights and freedom from oppression (in effect, justice and autonomy) is downplayed. This is not a process by which those who are affected are able to negotiate and contest. The emphasis on democratic efficiency and pluralist governance takes little account of the relations of power and powerlessness which mute local or marginal voices. Those at the margins, or those most harmed – such as the poor, women and indigenous peoples – have become defined as objects to be acted upon, to be educated, consulted and informed, to be empowered from above or from outside, or as a source of knowledge to be appropriated and incorporated into the discourse of the global as and when needed. The themes of emancipation and equity, and new visions of development which so often animate the outcomes of collective global activism on environment and development are, for the most part, absent in official discourse. There has been growing unrest among grassroots organisations and NGOs that the much lauded

democratisation has done little to democratise or make equitable the outcomes. In response, local voices are demanding to be heard and are constituting alternative, albeit not always clearly articulated, forms of resistance globalism.

What is also missing from this is global civil society as a transformative political community, as an 'alternative organising principle for world politics, based on new constitutive rules and institutional forms' (Conca and Lipschutz, 1993: 9). Resistance to the neoliberal 'global' and demands for justice have become most strongly manifest in a re-localisation of world politics against what Falk calls the 'predatory dimensions of globalisation' (1998: 104). This environmental activism is more than a quantitative development – more NGOs engaged in a wider range of activities. In its most radical form it is *qualitatively* different: transnational, vigilant, resistant. It is an 'expression of the globalisation of democratic sentiments' (Litfin, 1997: 192). Nevertheless it is becoming increasingly important to distinguish between civil society as a cosmopolitan public sphere and civil society as professionalised non-state activism. Participatory rights run the risk of becoming most meaningful for those NGOs which are 'well-organised, well-financed and well-informed' (Anon., 1991: 1589).

Conclusion

As argued here, the politics and ethics of environmental change link together globalisation, inequity and injustice in complicated ways. Globalisation has been neither normatively neutral nor materially benign in its impact on the environment, local and global. The cosmopolitan approach examined in this paper provides a useful normative tool for illuminating the challenges of environmental inequity, understood as harm *and* as injustice. An ecologically sensitive cosmopolitanism demands transnational environmental justice between peoples within a world society as well as, and possibly in preference to, international justice between states in an international society. The cosmopolitan project also identifies a more ethical political practice which embodies not only a commitment to moral obligation across borders but compensatory mechanisms and the practical politics of consent. The latter, one could argue, is the most important and yet also perhaps the most difficult to translate into operational form. Despite hints of a cosmopolitan voice in the global politics of the environment, none of these three conditions have been met.

The question of agency is crucial. As this paper has argued, the cosmopolitan public sphere is central to the politics of consent and the politics of consent is, in turn, crucial to global justice and equity. At the same time, the role of the state remains ambiguous as cosmopolitan moral agent, particularly in light of communitarian claims on the importance of moral obligation within the bounded-community and the environmental dysfunctions associated with sovereignty norms. For many, the state – or at least the liberal state – can and should be strengthened because it has the resources to enforce implementation of environmental agreements including those which seek to minimise environmental harm and enable compensatory justice. As noted above, Held and others concerned with cosmopolitan democratic law identify a central role for the state in the intensification of democratic practices – that is, democracy must be within and between as well as across states. The state thus becomes a vehicle, even if not the only one, by which the democratisation of governance and the politics of consent at a global level can be achieved. Yet forms of liberal democratic pluralism reliant on the state have proved insufficient to overcome the political structures of inclusion and exclusion. The very groups and voices whose participation is essential to sustainable development and responses to the challenges of global environmental change remain distanced from the domestic and global practices of environmental governance. In sum, democratic efficiency that relies on the state-as-agent in a globalised world is not cosmopolitan democracy. The cosmopolitan project, defined in strong measure by its ability to identify, address and, in the final analysis, to overcome the environmental and other inequities of economic globalisation is poorly served by it and the challenges of justice have not been resolved.

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