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**Polycentric governance, legitimacy
and efficiency (*before*) and after the
Paris Agreement:
how useful is global climate
governance?**

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Legitimacy and equity for global climate governance

Table 1

Components of Legitimacy of International Norms^a

<i>Components of Legitimacy</i>	<i>Sub-Components</i>
<i>Source-based legitimacy (input legitimacy)</i>	Expertise Tradition Discourse
<i>Process-based legitimacy (input legitimacy)</i>	Governmental participation Non-governmental participation Accountability Transparency
<i>Outcome-based legitimacy (output legitimacy)</i>	Effectiveness Equity

^aAdapted from Karlsson-Vinkhuyzen and Vihma 2009, 410.

Legitimacy and equity for global climate governance

Meta-discourses in the international climate negotiations (McGee, Taplin, 2009)

- Ecological modernisation
- Green governmentality
- Civic Environmentalism

Impacting both source-based and output based legitimacy

The Kyoto Protocol as a compromise

The principles adopted in 1997:

- **compulsory** but differentiated
 - no reduction for developing countries
 - weak sanction system
 - Kyoto Instruments
 - An emerging source based legitimacy
 - A deepened process-based legitimacy
 - A strong contested output-based legitimacy
- the production of deep asymmetries
- A weak efficiency

A more and more polycentric governance

Contesting climate governance with new cooperation arenas

(McGee & Taplin 2009, Karlsson-Vinkhuyzen and McGee, 2013)

- several minilateral forum from 7 to 17 countries, aside UNFCCC
 - APP, 2005-2009
 - APEC and Climate in 2007
->“the Kyoto model—top-down, prescriptive, legalistic and Euro-centric—simply won’t fly in a rising Asia Pacific region”, premier ministre australien Howard
 - MEF, 2007
- > from to “green governmentality“ to “ecological modernisation”

A more and more polycentric governance

Several examples of multilevel governance (Ostrom, 2010)

- C40 and Clinton Foundation
 - Obama Climate Plan and California climate policy
 - EU Climate Energy Package : 3 * 20, carbons markets and clean development mechanisms
 - UNFCCC and Kyoto Protocol
- ➔ the multiplication of regional-local-continental initiatives

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The normative approach of E Ostrom (2010)

- different types of institutions and different levels
 - relatively autonomous and different (norms, rules, actions, programs, perimeters)
 - with strong flexibility and learning capacities
 - allowing voluntary participation at different levels
- ➔ the global scale is not the only way to solve global commons problems

A more and more polycentric governance

Figure 1
The regime complex for managing climate change.



Note: Boxes show the main institutional elements and initiatives that comprise the climate change regime complex. (For a thorough recent description of many elements of the regime complex, see Michonski and Levi 2010). Elements inside the oval represent forums where substantial efforts at rule-making have occurred, focused on one or more of the tasks needed to manage the diversity of cooperation problems that arise with climate change; elements outside are areas where climate rule-making is requiring additional, supporting rules.

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Overlap of international environmental regimes

(Raustiala&Victor, 2004)

- existence of several legal agreements that are created and maintained in distinct fora with participation of different set of actors
- ➔ components linked together without any hierarchical or overall integrated scheme of governance

A more and more polycentric governance

The dimensions of regime complexes (Raustiala & Victor, 2004, Keohane & Victor, 2011, Abbott, 2011)

- varying involvement: forum shopping / forum shifting
- inconsistencies and contradictory objectives
- room of maneuver for nation-states, strategic connexion and specialized intervention

Legitimacy and equity in a context of fragmentation

The temptation of minilateralism (Karlsson-Vinkhuyzen and McGee, 2013)

- selected involvement of state authorities
- low transparency, weak *accountability*
- limited impacts on global efficiency
- focused on issues of ecological modernisation leaving aside equity and social justice issue

Legitimacy and equity in a context of fragmentation

➡ Which impact on multilateralism ? (Eckersley, 2012)

- the tension between an inclusive multilateralism (promoting equity) and an exclusive minilateralism (promoting efficiency?)
- how to manage both efficiency and equity during the negotiation ?
- for a common but differentiated representation

The Paris Agreement and a shift in the governance procedure

- + 2° degrees target and **voluntary action plan** with national contributions (weakly coercive)
- Strong shift in the role play of main stakeholders and coalitions, eg. China + EU
- A result orientated towards ecological modernisation issues and more marginally environmental justice and equity
 - Strong source based legitimacy
 - A strengthened process-based legitimacy
 - A still contested output-based legitimacy

From interests coalitions to cognitive coalitions

A new context of fragmentation around deep core believes

- Exit strategies from climate skeptic governments : risks of loss of momentum and a the return of Neo-realist vision of the environment
 - ▶ Source-based legitimacy is weakened for the implementation of the Paris Agreement
 - Risk of focusing climate governance as a whole around ecological modernisation
 - Environmental justice and development as marginal issue ?
- > need for an in-depth study of the risks and impact of this cognitive fragmentation

From interests to cognitive coalitions an external critique of global climate change governance



Francisco Goya, Fight with Cudgels, 1820

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