



From government to governance? Forest certification and crisis displacement in Ontario, Canada

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A B S T R A C T

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Discussions of forest certification have tended to characterize certification systems as a prime example of the hollowing out of the state and a shift from government to governance. The continued contention that certification is a product of a retreating state has implications for how we understand democratic participation and fails to pay attention to the ways in which such an arrangement benefits the state in extra-economic terms. The case of forest certification in Ontario, Canada problematizes this emphasis and provides, rather, a case study in how certification is less a shift in power from state to market and more a reconfiguration of state power in the face of environmentally induced legitimacy crises.

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1. Introduction

The last several decades have seen a lively debate across the social sciences regarding the changing role of the state. Central to many of these debates have been discussions about an erosion of the state's ability to govern through centralized forms of power and top-down command and control policy measures, and the emergence of new non-state-centered civil society and market oriented means of decision making (Rosenau, 1992; Rhodes, 1996; Stoker, 1998; Gereffi et al., 2001; Hajer, 2003; Brenner et al., 2003). A key portion of this discussion has focused on processes of political neoliberalization, which are often characterized as a hollowing out of former state authority, and a shift from government to governance. Such shifts, it has been argued, have generated an increasingly important role for non-governmental organizations, community-based forms of management, and a plethora of market based mechanisms for the provision of public goods and services from health care to education (Harvey, 2005; Swyngedouw, 2005; Jessop, 1994). This apparent shift from government to governance is not limited to the social realm but is also occurring in the field of environmental management (Lemos and Agrawal, 2006; O'Neil, 2007; McCarthy, 2005; Prudham, 2004).

Discussions of neoliberalism in general, including neoliberal environmental management, have recognized both the roll back and roll out aspects of these reforms (see, inter alia, Peck, 2001;

Brenner et al., 2003; Harvey, 2005; Sandberg and Wekerle, 2010). Work has focused on the retreat, or hollowing out, of former state authority, but has also included much discussion of the new roles that states play in the creation of rescaled governance and freer markets (Jessop, 1994; Harvey, 2005; Robertson, 2006; Mansfield, 2007). Despite this tendency of the larger literature to conceptualize neoliberalization as a reconfiguration of the state's role, the roll back framework has been particularly pervasive in the literature on forest certification. Beyond a few recent exceptions (Wood, 2009; Lister, 2011), discussions of forest certification have overwhelmingly characterized the model as a prime example of a shift from state-centered government of forest resources to a constellation of non-state actors participating in forestry governance. The continued contention that certification is an instance of non-state governance has implications for how we understand democratic participation and fails to pay attention to the ways in which such an arrangement benefits the state in extra-economic terms. The case of forest certification in Ontario problematizes that emphasis and provides, rather, a case study in how certification is less a shift in power from state to market and more a reconfiguration of state power in the face of legitimacy crises. Importantly, the retreating state narrative acts to shift attention from a focus on the continuing role and actions of the state to a new range of non-state governance actors, and the realm of technical adjustments within the context of certification systems. As such, concerns surrounding new governance models and democratic deficit may have less to do with a retreat of former state authority and more to do with the ways in which these new governance frameworks act to deflect political criticism across a new range of actors, in part serving to shield state power.

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Using the history of forest certification in Ontario to illustrate broad theoretical claims about the reconfiguration of state power under neoliberal environmental management policies, I engage Hay's (1994) theory of crisis displacement and Howlett's (2000) insights on procedural policy instruments and modern governance to forward an alternative interpretation of the role of the state in certification schemes. The use of such a historical account problematizes the pervasive discussions of certification as an example of non-state governance, traces the extent to which states are actively involved in certification schemes and refocuses attention on the social, economic and political processes associated with shifts to non-state, market oriented environmental management practices. Certification promises improved forest management and a distinct break from former state led policy, and yet, upon closer examination this does not appear to be the case.

2. Managing the environment: from government to governance?

The decentralization of authority in the management of renewable resources and environmental protection has become increasingly popular on a global scale (McCarthy and Prudham, 2004; Roth and Dressler, 2012). This trend toward decentralization has co-occurred with a period which has seen a greatly increased role for non-governmental actors and has led to a wide range of new networks of public–private collaborations in environmental management. Vandergeest (2007) and Lemos and Agrawal (2006) note that this shift has moved in a variety of directions, including a greater focus on community and civil society management of resources, as well as an increased reliance on market-based mechanisms for environmental management. In the European context Heritier and Rhodes (2011) have drawn attention to new co-constructive processes of governance which involve a range of societal actors, including civil society groups and industry, operating within and across national, supranational and subnational scales. Whilst we are witnessing new institutional configurations of governance, scholars of the new European governance have also recognized the important role that the shadow of state authority plays in facilitating and shaping these new governance frameworks (Heritier and Eckert, 2008).

There are at least two coherent themes in the environmental literature regarding this apparent shift from centralized government management to more networked, plurilateral and market based instruments. The first of these themes centers on the complex nature of contemporary environmental problems. A number of scholars have noted the ability of non-state governance forms (or hybrid formations) to better integrate scientific, technical and non-expert forms of knowledge; to secure legitimacy across broad coalitions of stakeholder groups; to provide flexibility in uncertain and rapidly changing contexts and to address problems that have both causes and impacts that range across a variety of geographic and institutional scales (Khan and Neis, 2010; Heritier and Lehmkuhl, 2008; Lemos and Agrawal, 2006). There is an increasing recognition that the state cannot be relied upon as the sole institutional formation responsible for managing complex environmental problems. Certainly some contemporary global environmental problems, such as climate change and global fisheries management, display characteristics which might support the use of complex networks of state and non-state actors to develop what some have called 'clumsy' solutions to wicked problems (Verweij and Thompson, 2006; Khan and Neis, 2010).

The second major theme to be found in the environmental literature draws inspiration from broad theoretical debates about the role and relevance of the state in an era of globalization, and the impact of neoliberal economic philosophy (for example see Heynen

et al., 2007; McCarthy and Prudham, 2004). Globalization, and the growth of supra-national institutions and transnational NGO and activist networks coincided with a period of political and economic neoliberalism over the last several decades leading some to argue that we are witnessing not only a 'hollowing out' of traditional forms of state power, but also the declining relevance of the nation state (Guehenno, 1995; Ohmea, 1995; Strange, 1996). As such, pressures from both above and below have made it increasingly difficult for states to govern through traditional top-down, command and control forms of sovereign rule, particularly in light of a growing ideological shift to lean-state government approaches. While a significant portion of the literature on the neoliberalization of environmental governance recognizes both the roll back and roll out nature of neoliberal reforms, there is a general tendency to frame the shift from top down substantive management to more networked and plurilateral forms of governance as a retreat of the state (for example, Swyngedouw, 2005; McClosky, 1999; Walter, 2003; Prudham, 2004). In tandem, a significant literature expresses concern over the risk of democratic deficit as non-state actors and market-oriented policies replace broad societal participation in environmental politics through democratic institutions (Katz, 1998; Walter, 2003; Swyngedouw, 2005; Smith, 2007; Lohmann, 2010). These concerns about democracy and problematic accountability rest, to a significant degree, on the assumption of shrinking state authority in environmental management. It is this rather pervasive discourse on the retreat of the state, and the shift from government to governance that I address in the following sections of this paper. While I agree that there may be problems of accountability and democratic participation associated with shifts to more plurilateral, non-state forms of governance; these may not always arise because of shrinking state involvement in governing. Rather, fractured accountability and the appearance of increased democratic participation may shield the state from political criticism and act to reaffirm the legitimacy of state authority. The state may, at times, find it attractive to delegate certain governance functions to new constellations of non-state actors as a means to escape scrutiny, or diffuse criticism across a new spectrum of governance actors operating across multiple scales. While several scholars (see inter alia Heritier and Lehmkuhl, 2011; Heritier and Eckert, 2008) have pointed to the importance of the shadow of hierarchy, or looming threats of state legislation, as a motivator for non-state forms of regulation, I would argue that the case of certification in Ontario is less an instance of the shadow of hierarchy and more a case of hierarchy in the shadows, in which the centrality of state authority remains, albeit partially shielded from focused political criticism by the involvement of non-state governance actors.

3. Forest certification and non-state governance structures

Forest certification, and the Forest Stewardship Council (FSC) in particular, have often been cited as a primary example of the shift from state centered command and control to multi-stakeholder networks that transcend the state (Hysing, 2009; Cashore et al., 2007; Klooster, 2010; Eden, 2009). Indeed the development of the FSC, which is arguably the most widely implemented and rigorous of forest certification systems, does display many features of a non-state governance structure. Growing out of frustration with the failure of both individual states and the international community to develop a global framework for sustainable forest management, the FSC emerged as the first major multi-stakeholder non-governmental organization seeking to assure the social, ecological and economic sustainability of global forest resources.

Phillip Pattberg (2005a) identifies this shift as a move from traditional state-based forms of government to one of 'private' or 'global' governance in which non-state actors operate across

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