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**ENVIRONMENTAL RESPONSIBILITY AND PRIVATE ACTORS:  
THE IMPORTANCE OF HYBRID REGIMES FOR THE  
CONSTRUCTION OF A GLOBAL ENVIRONMENTAL  
GOVERNANCE**

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**Abstract**

In the last decades, environmental and social issues have gained more space within the international relations debates over social and economic development of international actors. The social crisis and the global environmental impacts reflect the irrationality of the economic systems that use the nature as a raw material provider and the humans as elements of the production process and potential consumers. The need to revise the values and the conduction of human relations has been supported by the scientific production, education, public opinion and conscious consumers that pressure towards the need to adopt proposals and practices involving environmental responsibility based on the principles of sustainability, so that these would become a common practice to the individual action, production systems and governmental policies both in the national and international context. However, there are some societies, institutions and governments that show little consideration towards this movement of environmental awareness. Another feature of the environmental issues is the high level of politicization, but with low level of securitization. This is because, in most cases, environmental problems cause long term effects. Thus, these issues are redirected to the agendas of other sectors, which will be responsible to solve the consequences of

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environmental tragedies, such as the energy crises, desertification processes, biodiversity loss, water scarcity, soil depletion, waste accumulation, among others.

It is clear that there has been some progress in the discussions regarding global socio-environmental problems and in the importance of international regimes and cooperation as a vital way for finding solutions. Those progresses are perceived by the greater articulation between State and non-state actors, diversification and interconnection of the environmental themes with the economy and politics, as well as by the increase in the number of events and international agreements. This transnational character of environmental issues means that States submit themselves to international regimes so that, through international cooperation, they are able to achieve the expected goals by themselves or by the regimes to which they have been submitted through declarations, protocols, agreements and documents produced or established through international conferences or even bilateral or multilateral agreements.

Given the facts presented so far, the objective of this paper is to analyze how the environmental responsibility exerted by private actors has influenced the environmental governance construction within the discussions regarding hybrid regimes. In order to achieve this, a bibliography review is done so that it is possible to discuss, compare and contrast the ideas and concepts present in the literature regarding the participation of private actors in environmental hybrid regimes, provided that States themselves are not capable of constructing and maintaining an environmental regime.

**Key words:** *environmental responsibility, hybrid regimes, global governance.*

## Introduction

The environmental and social issues have gained more space in the international relations debates since the 1970s with the environmental degradation happening at alarming rates and the asymmetry in the promotion of social and economic development of States, institutions and private companies. In addition, in the last two decades, the number of public-private partnerships (PPPs) has grown considerably and this has shown the need to revise traditional theories and approaches towards the global environmental governance.

Debates regarding the link between environmental responsibility and the need to promote hybrid regimes (PPPs) arise within a context of change in international relations and

in the (new) role of institutions as well as the increasing importance of non-state actors. Given that States themselves are not capable of managing all the complex demands in the international arena, solutions which involve multiple actors, multilevel and polycentric analysis are required in order to identify and solve the problems of the global environmental governance. It is clear that the global level itself no longer dictates the possibilities of cooperation as local or regional participation is a vital part of the process as the institutional arrangements created by non-state actors have both influenced regime formation or change and identified its flaws in terms of effectiveness.

The fragmentation of international regimes has indicated that there is more space to PPPs and that international organizations (IOs) have reacted to this institutional diversity of the global environmental politics in a positive way as their role has gone from rulemaking to facilitating the consolidation of hybridization. However, States and formal institutions have not lost their importance. Neo-institutionalism has shaped the performance of intergovernmental relations and has also emphasized collective action as a complementary feature of regime theory and practice.

### **Environmental Responsibility and Regimes - what role for public-private partnerships?**

The term environmental responsibility implies that actors from local to global levels in their various activities essentially think about their impacts on the environment and also about ways in which sustainability is guaranteed. However, it is known that there are public and private institutions in various parts of the world that does not express any movement in that direction, especially to justify the need to meet their basic demands of survival or to achieve the goals set by the decision makers. Accordingly, Tachizawa (2011, pp. 11, translated) argues that:

The environmental management and social responsibility for a development that is economically, socially and environmentally sustainable, must rely on executives and professionals in public and private organizations that incorporate innovative production technology, structured decision rules and other systemic knowledge required in the context in which they operate.

The changes in the corporate culture values, public and private employees and individuals generally depend on policy, economic, institutional, environmental, educational and cultural variables. The integrated and systemic administration of urban and rural

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environments must be the result of the operations processes review, the understanding of the parties and their connections with the global level, to be recognized as systems and networks and driven by the parameters of sustainable local development. Thus, the social and environmental responsibility can be understood as the actions of individuals and institutions as they try to meet their goals and interests, respect and follow the guidelines of economic efficiency, social equity, environmental conservation, ethics and respect for norms and values.

The need for the revision of values and behaviors of the human-nature relationship has been supported by some individuals linked to the scientific production, education at all levels, public opinion and conscious consumers that over the past few years have intensified the pressure so that the proposals and practices of environmental responsibility based on the principles of sustainability become increasingly frequent in individual actions, production chains, municipal and government policies and international agreements and transnational relations.

Companies that choose to adapt their production systems following the standards of sustainability to achieve environmental certifications, such as ISO 14000, or to obtain green stamps for their products, need to invest in clean technologies, empower employees, redefine their policies, choose and influence their suppliers and customers, among other actions depending on the production chain. In the medium and long term these will bring resource saving, positive visibility, value addition to the product or service and comparative and competitive advantages. This is called the cost of compliance, in other words, the cost of adhering to the highest standards.

Public institutions that operate primarily to meet the demands of society, must manage infrastructure and services with collective planning in the medium and long term, and follow the guidelines for social and environmental responsibility in order to truly promote social and economic development. However, the bureaucracy, the interests of dominant political groups and inefficiency of services must be minimized. This regulation is the traditional form of the States and IOs to discipline non-state actors (domestic), and sovereign states (international).

The PPPs should bring together the objectives sought by these institutions: the efficiency and optimization of resources by the private sector and the principles of collectivity defended by the public sector. In this sense, it is possible to achieve an efficient hybrid regime that combines elements that enforce the contracts celebrated among the parties. Addressing

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the issues related to hybrid regimes requires a review in order to demonstrate the context in which these kind of phenomena is possible, since international relations theory have neglected this kind of institutionalism for a long time.

International regimes are developed in order to establish patterns of behavior, ideas and values in a specific area of activity of international actors, which should be understood as anything other than temporary arrangements influenced by shifts in power and interests. According to Krasner (1983, pp. 2) “regimes can be defined as sets of implicit or explicit principles, norms, rules, and decision-making procedures around which actors expectations converge in a given area of international relations.”

However, the schools of international relations have different views on the subject. The concerns of the realist theory, whose analytical units are the States, are intimately linked to power relations, material capacities and relative gains. The States’ foreign policy is determined by external factors and not by internal issues. In addition, States are referred as rational actors that analyse the international system and elaborate compatible strategies that involve calculations of relative power.

In this sense, it can be said that international cooperation and the foundations of international regimes are not relevant according to the realist perspective since they involve capability sharing in certain areas, which may contribute to the unequal increase or decrease of power among those involved and, provided that the balance of power is a crucial feature to the survival of States in an anarchic system, cooperation processes are hindered by the presented issues.

Classical realism, essentially Hobbesian, has a pessimistic view regarding human nature (first image), which is determinant to the intentions of States and largely influences their behavior. Thus, creating relationships through cooperative processes is highly dangerous, given the uncertainty of the interests which are primarily motivated by the will to maximize power, and for this reason, may act offensively through its military power.

As international regimes involve the establishment of performance standards in the international system within a certain area, the existence of this control factor that involves sharing or even the partial transference of sovereignty makes this adventure potentially destructive and threatening to the State survival and to the logic of power accumulation.

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In this context, the difference between classical realism based on human nature (Hans Morgenthau) and offensive realism (John Mearsheimer) lies on the fact that this rejects the premise that States are invariably conditioned by the pessimism of human nature. While both agree on the need to maximize power, Mearsheimer relates this accumulation with the need to increase security and not to human nature, especially by the great powers:

[...] survival mandates aggressive behavior. Great powers behave aggressively not because they want to or because they possess more inner drive to dominate, but because they have to seek more power if they want to maximize their odds of survival.” (MEARSHEIMER, 2001, pp. 21).

Despite its predominance in the twentieth century, the realist tradition has worn gradually as it is particularly related to the Great Wars and its consequences.

In the 1970s, with the intent to promote a renewal of realism, Kenneth Waltz introduced neorealism or structural realism. For the theorist’s analysis, the level of the international relations should be the third image: the structure of the international system. Thus, his vision was based on the behavior of States that is conditioned by power structures, in other words, the focus is removed from the interactions between States and from the pursue of power maximization, which is largely responsible for the conflicts mentioned above.

Another change is observed in the intention of this "new" theory. Despite the reproduction of the state-centered vision, Waltz created that to be a theory of international politics and not a theory of foreign policy, unlike classical realism. Thus, concerns regarding power would be directed to its maintenance (continuation of the international order) to ensure the States’ survival and not to its maximization.

[...] whereas Morgenthau argues that states strive to gain power because they have an innate desire for power, Waltz maintains that the structure of the international system forces states to pursue power to enhance their prospects for survival.” (MEARSHEIMER, 2001, pp. 15).

Another difference lies in the fact that, according to the traditional view, States are engaged in a constant security dilemma. War is something that is always about to happen and survival is constantly threatened. According to Waltz’s view, the circumstances of the structure of the international system dictates the possibilities of conflict, and not the

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pessimistic view of human nature that favors conflict and almost nullifies the possibilities for international cooperation and participation in international regimes.

Furthermore, neorealism claims that cooperative processes can be achieved by establishing international regimes, but this possibility is conditioned by a low conflict potential, that is, cooperation may exist provided that war is not imminent, since the international system structure constrains offensive behaviors, and, as mentioned previously, the logic of power is no longer related to maximizing it, but its maintenance for survival, and in this context, the need to cooperate with other sovereign States arises.

Studies that deal with international conflicts are common. Nevertheless, explaining certain types of institutionalized cooperation, such as international (hybrid) regimes, is vital to understand how international cooperation can be used as an instrument of power in the dynamics of international politics, since its promotion implies in a non-conflicting way to solve the demands of the international system.

In this sense, the theory of complex interdependence introduced by Robert Keohane emerged along with neorealism and represented a neoliberal attempt to recover the principles of classical liberalism that were left aside in some periods of the twentieth century, especially for being unable to prevent the Great Wars. The theory argues that the demand for international regimes is one of the characteristics of the international system.

At the same time, despite the triumph of the realist theory considered the one that best explained the conflictive events in the international system, that proved to be increasingly insufficient to deal with all the issues that emerged in the international arena, especially those related to the environment, globalization, economic interdependence and technology, the increase in intra-state conflicts, among others. In addition, international conflicts generate high political, economic and social costs to those involved. Therefore, it would be beneficial to find other ways to deal with the inherent matters in the international system in a scenario in which the domestic issues prove to be global, a fact that is rejected by the realists.

The differentiation between themes of high or low policy was gradually abandoned, given the growth of transnationalism and the interdependence of subjects in a non-hierarchical relationship. In this sense, States were still considered important actors, but they were not the only ones. The neoliberal theory is considered pluralistic. The growing importance of non-state actors, such as non-governmental organizations (NGOs) that represent civil society, the



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private sector, such as companies and the public sphere led to the emergence of the so-called hybrid regimes, in other words, the partnership between public and private institutions. Andonova (2010, pp. 27) states that “Despite the preoccupation of international relations theories with the state, however, the environmental politics literature was quick to recognize the growing influence of nonstate actors.”.

It must be clear that the concerns regarding power relations and the survival of States were not abandoned, but new approaches were adopted in order to fully understand and solve international matters. In this sense, Mearsheimer (2001, pp. 16) emphasize the importance of economic relations as one of these approaches: “Once states establish extensive economic ties, in short, they avoid war and can concentrate instead on accumulating wealth.”.

The limitations of the international system generate the need for international regimes at a multilevel order. However, the anarchic international system is not the same as to say that there are no principles that somehow govern the countries. Principles such as ethics and environmental responsibility, for example, do not form a regime themselves, but they create certain patterns of conduct that may constitute an international regime. An analogy can be made with the emergence of international treaties in public international law as products of customary rules. Thus, international anarchy refers to the absence of a supranational entity that governs the actions of States.

Representing a third way of thinking linked to neoliberalism in relation to the issue of cooperation and international regimes, Helen Milner’s level of analysis focuses on the second image: the issues related to the State hierarchy. While the neoliberal premise suggests that cooperation is possible to decrease the level of cheating and neorealism is concerned with the issue of relative gains, Milner introduces the term polyarchies, in other words, actors within any political system that are capable of deciding despite the hierarchical relations.

In this perspective, cooperation is seen as a dependent variable because it depends on the decisions of social groups (independent variable) that have elected the internal political groups, and that they must act together to achieve common goals. In this context, the PPPs finds enough space to develop its proposals and, according to Andonova (2010, pp. 27), “The analytical interest in private authority was again a swift reflection of the growth since the 1990s in the number, variety, and reach of nonstate mechanisms for environmental governance.”.



PPPs differ from the traditional intergovernmental environmental governance because it does not present inflexible hierarchical structures of power as observed in that one. They are formed by soft agreements and do not have the force of international law. They are essentially based on a polycentric structure with low level of bureaucratization. Nevertheless, PPPs are not exclusively a private governance mechanism as it deals with both private and public spheres.

What are the incentives and costs of institutional change for formal IOs in the context of multiple actors? Why do they act as entrepreneurs in hybrid regimes? IOs are part of the States' apparatus since they delegate the function to promote cooperation and at the same time this makes IOs stronger and legitimate to international actors. In order to justify that, the "principal-agent model" that was first developed to economics has been gradually introduced to IOs analysis in order to understand their role in regimes and global governance. In this sense, Andonova (2010, pp. 30) claims that:

States use a variety of mechanisms to control their agents such as budgeting, hiring procedures, governance oversight, or internal evaluations. As with all agents, IOs also enjoy some autonomy as a result of incomplete contracts and possibility for reinterpretation, technical specialization producing asymmetric information in favor of the agent, and the high cost of control mechanisms.

The United Nations Fund for International Partnerships (UNFIP) established in 1998 is a landmark for PPPs as it represents the changing environment that the United Nations was inserted, especially after Kofi Annan became Secretary General in 1997 who viewed non-state actors as a vital part for institutionalism and for the required changes within the UN system. After the creation of the UN Foundation due to the donation of one billion Dollars made by Ted Turner to cover the United States arrears in 1997, partnerships between the UN agencies, private actors and other non-state actors were stimulated despite heavy criticism from governments that considered this as maneuver to influence some countries internal aspects.

The step forward agency initiative to the establishment of partnerships to solve problems in a global scale is an example of the "principle-agent model" and the environmental arena offers enough space for this kind of multilevel action in areas that also

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involve human rights, food security, energy, poverty, health and others both in the local and global levels.

Environmental responsibility can be directly affected by the PPPs, however conflicts of interest on these and other issues are evident, therefore, many variables must be taken into account when dealing with environmental issues and PPPs. It is crucial to consider the economic and political situations locally. In this sense, there are theoretical perspectives that attempt to offer reflections on the management of collective goods and sustainability, such as Barros-Platiau (2004) who shows that organizational approaches, international regimes and global governance are some of the perspectives used to analyze the problems related to collective management of environmental resources. Other important elements in the decision making processes for these themes are the education and the cultural aspects of each society.

The framework in which a decision is made influences the nature of the decision. This framework may privilege certain variables more than others, depending on the nature of the national political system, the distribution of power between the actors involved and their nature. Another fact that highly influences the level of effectiveness of environmental (hybrid) regimes is the compliance of rules by local communities and their enforcement.

## **Final Remarks**

The discussions raised so far highlight the need for the promotion of natural resources shared governance within a multilevel context. In this sense, environmental responsibility plays a vital role in the causes and consequences of environmental governance. This article showed that EPPs is one of the aspects involving governance in a decentralized scenario as the hybridization also indicates the need to debate institutional change and the role of private participation in issues initially considered to belong exclusively to the public domain, such as the global commons that is a discussion intimately related to natural resources management.

The answer to the question raised above “what role for public-private partnerships?” is found in the context of change in international relations and in the theory of regimes and its hybrid variation. For further research on the subject, quantifying the costs and identifying the incentives of EPPs poses a challenge to the maintenance of the neo-institutional thought both in economic, political and social terms.

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