

## Chapter 12

# HARNESSING AND PROTECTING DEMOCRACY IN THE CLIMATE CRISIS

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### 12.1. INTRODUCTION

Two challenges frame this Report:

- How can democracy effectively address the climate crisis?
- How can democracy effectively address the threats it faces from the climate crisis?

The Report is based on case studies of ten countries. The case studies are a rich source of findings on the challenges to democracy that arise from the climate crisis. The first might be obvious but should be made explicit: *democratic governance shapes climate action and the responses to the threats to democracy that arise from the climate crisis*. This finding is elaborated on below in relation to democratic debilitation, threats to democracy and democratic innovation in the climate crisis.

The second major finding provides an important perspective on the significance of democracy in the climate crisis: *democratic governance is not the sole factor shaping climate action or responses to the threats it faces from the climate crisis*. This too is an obvious finding but its virtue is to prompt the question: what else matters?

The case studies suggest several other significant and related factors. First, there is the extent of climate vulnerability, which is

Figure 12.1. Democratic innovation in the climate crisis

Mitigation of and adaptation to climate change can be achieved through democratic action.

Nations with these icons have shown progress on the four pillars of democracy for a safe climate:



Key elements of a planning state



An ethos of solidarity



Invigorated multilateralism



Fair and inclusive politics



brought into stark relief by the dire situation in the low-lying islands of Fiji, Solomon Islands, Tuvalu, Vanuatu and the Torres Strait Islands in Australia where the threat is to the survival of these communities. Without wanting to diminish the severity of this threat, however, climate vulnerability is not the same as being climate-affected. Japan and Singapore are among the most climate-affected countries in the world but are not ranked as the most climate-vulnerable because of their climate-readiness.

This brings us to the second factor—the extent of state capacity and resources. An established state, such as Australia, Japan and Singapore, has greater capacity to undertake effective climate action and is less vulnerable to the threats from the climate crisis. On the other hand, a state that is ‘weak’, such as Solomon Islands, or ‘unfinished’, such as Vanuatu, faces greater difficulties with climate action and more potent threats to its functioning. Between these two poles are the diverse, geographically vast and populous countries of India and Indonesia.

The third factor is related to the second—dependence on international funding. Such dependence, which is clear in relation to Fiji, Indonesia, Solomon Islands and Vanuatu, is challenging for democracy in the climate crisis. It will evidently shape the extent of effective climate action that can be delivered through democratic governance. Equally, it poses real threats to democratic governance, such as the dilution of national sovereignty and corruption, which are discussed in Section 12.3.

The fourth factor is the structure of the economy or, more specifically, the significance of climate-vulnerable economic sectors and fossil fuel industries. The significance of climate-vulnerable economic sectors such as agriculture and tourism can be a prompt to climate action (as in Bhutan) while dependence on fossil fuel industries, including the coal industry, can be a roadblock to such action (as in Australia, India, Indonesia and, to a lesser extent, Japan). Both can lead to threats to democracy in terms of instability, insecurity and inequality but through different dynamics—climate-vulnerable economic sectors through climate impacts, and fossil fuel industries through climate mitigation.

**The case studies demonstrate that democratic debilitation contributes to climate inaction and the damaging role of commercial interests.**

## **12.2. DEMOCRATIC DEBILITATION IN THE CLIMATE CRISIS**

The country case studies demonstrate that democratic debilitation contributes to climate inaction and the damaging role of commercial interests. In some countries, the outsized influence of particular industries, notably the fossil fuel industries in Australia, the coal industry in India and the logging industry in Solomon Islands, has been directed at preventing climate action. In several of the case studies, commercial interests make their voices heard loudly through the politics–business nexus, such as in the clout wielded by the Japanese Business Federation (“Keidanren”) within the ruling Liberal Democratic Party (LDP) and the pro-business Ministry of Economy, Trade and Industry (METI), the centrality of business interests to Singapore’s developmental approach to growth and the ‘oligarchization’ of Indonesian politics. In Australia, India, Indonesia and Japan, the disproportionate influence of commercial interests has been facilitated by political contributions and lax political finance regulation.

Another key element of democratic debilitation is short-termism, as identified by Chapter 1. This is deeply connected to the damaging role of commercial interests. Where commercial interests have a disproportionate influence on public policy, there is a powerful tendency among the political elite to equate the national interest with the short-term demands of business, and at times even the particular agendas of a select few powerful industries. Correspondingly, electoral agendas tend to be framed around these particular economic interests, which can explain why in some countries, such as Indonesia and Japan, there is no strong push for climate action.

Another source of short-termism is highly localized politics. In Solomon Islands and Vanuatu, voting is often based on personality and kinship networks rather than policies or party ideology. This also interacts with the role of money in politics, making vote buying a mainstream way to cultivate electoral support.

This analysis suggests that the problem of short-termism is not intrinsic to periodic elections but arises from a particular kind of electoral politics—one that is deeply corporatized and/or localized.

Possibly connected to these aspects of short-termism is the absence, in all the case study countries apart from Australia, of any concerted effort at a just transition—despite the profound changes that the climate crisis will produce in terms of climate impacts, mitigation and adaptation. Even Australia is still in the early stages of planning for a just transition.

Short-termism does not just arise from the features of electoral politics; it is also linked to absences in the legal framework. Table 12.1 shows that more than half the case study countries have no constitutional provisions on protection of the environment. It also indicates that more than half the case study countries have no climate-specific legislation but instead address climate change through a patchwork of environmental legislation. For example, the case study on India found 10 separate statutes that impact on climate change while Japan has 2 dedicated statutes on climate change. These absences in terms of constitutional provisions and climate-specific legislation have compounded the problem of short-termism in some countries.

Alongside the corrosive role of commercial interests and short-termism there is ‘top-down’ climate action, which refers to highly centralized climate action that involves limited responsiveness to public sentiment. Among the case studies, top-down climate action is most apparent in Fiji, with its threatened militarization of climate response, and in Singapore, through its ‘authoritarian environmentalism’. In neither country does limited responsiveness to public sentiment mean no responsiveness. There are highly managed public consultations on climate change in Singapore and strong cooperation between the government and civil society organizations in the international arena in Fiji. Responsiveness is nonetheless limited and underscored by the suppression of political freedoms in both countries.

While less acute in the other case study countries, top-down climate action is a risk or reality in all of them. Such action exacerbates the challenge of coordination on and coherence of climate action. This applies to federations such as Australia and India but also in other governmental contexts. In Tuvalu, there is the complex task of coordinating government climate action with the *Falekaupule*,

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**Table 12.1. Constitutional environmental protection and climate-specific legislation**

	<b>Constitutional environmental protection</b>	<b>Climate-specific legislation</b>
<b>Australia</b>	No	Yes
<b>Bhutan</b>	Yes	No
<b>Fiji</b>	Yes	Yes
<b>India</b>	Yes	No
<b>Indonesia</b>	No	No
<b>Japan</b>	No	Yes
<b>Singapore</b>	No	Yes ( <i>Carbon Pricing Act</i> )
<b>Solomon Islands</b>	No	No
<b>Tuvalu</b>	No	Yes
<b>Vanuatu</b>	Yes	Yes

the authorities which separately govern the eight islands of Tuvalu. In Vanuatu, the lines of coordination are between the formal state system and *kastom* and traditional governance systems.

Finally, there is weak multilateralism or inadequate climate ambition measured against the Paris Agreement. Australia, India, Indonesia, Japan and Singapore fall into this category, as assessed by the Climate Action Tracker. Bhutan is a strong outlier, as the first country in the world to become carbon-negative. (The Climate Action Tracker does not include Fiji, Solomon Islands, Tuvalu and Vanuatu.) There has also been a failure to translate international commitments into effective domestic action in countries such as Japan, which exhibits low levels of international ambition, but also in countries where there is high ambition, such as Fiji, Solomon Islands and Vanuatu.

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### 12.3. THREATS TO DEMOCRACY FROM THE CLIMATE CRISIS

The case studies highlight powerful threats to democracy from the climate crisis. First, there is the instability linked to extreme weather events, which have profoundly affected all the case study countries. They are already experiencing extreme temperatures, flooding, cyclones and storms, all of which are predicted to worsen in the coming decades. All except for landlocked Bhutan are experiencing rising sea levels and coastal erosion, which in the case of Fiji, Solomon Islands, Tuvalu and Vanuatu are threatening to submerge these countries; several Indonesian cities are also at risk of sinking. Drought is seriously affecting Australia and India, and Australia is also suffering from wildfires that are intensifying in frequency and severity.

Climate-induced food insecurity is also on the rise. In Fiji, Solomon Islands, Tuvalu and Vanuatu, this is linked to the loss of arable land; while coral bleaching and ocean acidification are affecting fish stocks. It is also an acute issue in Bhutan, which relies on subsistence farming and food imports, and Singapore, which imports the overwhelming majority of its food. Climate migration is already occurring within several countries. In India, millions have migrated to the cities from climate-affected regions, particularly those exposed to rising sea levels. In Bhutan, extreme weather events have destroyed crops, contributing to rural–urban migration.

All this gives rise to threats to and from the state. In the case of Fiji, Solomon Islands, Tuvalu and Vanuatu, the threat of climate impacts to fragile states is existential. Even where the survival of the state as a whole is not at stake, its capacity might be severely tested, as in the case of India where mass climate migration to the cities places tremendous pressure on the ability of the state to manage the process of urbanization, including the provision of basic services.

A clear and present threat to the state in some countries and a looming one in all others are conflicts over the increasing scarcity of food and habitable land. In some cases, this exacerbates existing tensions between different governance systems. In Fiji, conflicts over land might increase frictions between the Indigenous *iTaukei* system

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of customary law and Western governmental systems. In Solomon Islands, customary governance systems are experiencing increased stress, linked to the lack of support from state systems, due to climate pressures on water, food and other natural resources. In Tuvalu, '[t]he power struggle between the *Falekaupule* [the authorities that govern the islands of Tuvalu based on custom] and the national government is a notable and significant effect of climate change' (Chapter 10).

The temptation to indulge in top-down climate action is an inevitable response to these formidable threats to the state. In Solomon Islands and Tuvalu, there is a real risk that the tensions between the formal state system and customary governance will be resolved in favour of the former through the exercise of overwhelming state power. In all countries, there are problems associated with the characterization of climate risks as national security risks. While there is a legitimate connection between climate and national security, as recognized by the governments of Australia and Singapore, there is a danger that the national security banner might provide permission for authoritarian measures. Fiji provides a cautionary tale through the significant risk that its disaster response could be militarized, as underwritten by its Constitution which charges the military with 'overall responsibility to ensure at all times the security, defence and well-being of Fiji and all Fijians'. It illustrates the danger posed to democracy of equating the climate crisis to a war (see Chapter 1).

Instability due to extreme weather events and climate migration, growing food insecurity and the threats to and from the state mean that for better or worse the climate crisis will increasingly define electoral politics. It seems almost inescapable that political parties and governments will be judged on their responses to climate disruptions. This suggests that climate adaptation will bring the climate crisis to the top of the political agenda even in countries such as Indonesia and Japan where the current push for climate action is not strong.

What this will specifically mean for electoral politics remains to be seen. On the one hand, it might be a driver of stronger climate action, as occurred in the recent Australian federal election. Several of the case studies, however, warn of potent threats. The case study on



Japan suggests that ‘the ruling party’s poor handling of the climate crisis and major climate-related natural disasters could set the stage for the rise of populist sentiments, as the latter play on people’s grievances and create polarization as a way to gain control and remain in power’. More emphatically, the case study on India argues that ‘climate change poses the single largest non-traditional threat to democratic politics’.

One important finding of the Report concerns the distortionary effects of international action, which manifest themselves in two ways. First, as exemplified by the case of Fiji, strong climate action at the international level can legitimize undemocratic practices domestically. Second, dependence on international funding (in Fiji, Indonesia, Solomon Islands and Vanuatu) poses risks to democratic governance based on national sovereignty. The case study on Vanuatu perceptively sums up these risks by warning that ‘[g]iven Vanuatu’s dependence on donor funding, and the anticipated high volume of incoming climate funding, it is likely that vested interests will exercise considerable influence in shaping the country’s adaptation response and selecting its beneficiaries—both internal and external’, resulting in the formation of a ‘node of power beyond the state’.

The final finding in this section is that much is still unknown about the threats to democracy from the climate crisis. Chapter 1 identifies threats from the ‘three Is’ of insecurity, instability and inequality, as well as those from democratic backsliding (a decline in checks on government and the protection of fundamental rights) and the increased significance of the state, as well as threats to free and fair elections. The case studies have clearly advanced knowledge on many of these threats but they equally suggest significant gaps in understanding in relation to the democratic threats from the climate crisis that stem from inequality, particularly political equality, the increasing significance of the state, and the conduct of free and fair elections.

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## **12.4. DEMOCRATIC INNOVATION IN THE CLIMATE CRISIS**

There has been significant democratic innovation in response to the climate crisis in all of the case study countries. Democratic innovation has two meanings in this context—an intra-national sense where democratic initiatives are specifically devised in a country to address the climate crisis; and a cross-national sense where overseas practices can be a source of democratic innovation for other countries.

In Australia, India and Japan, subnational climate action is leading the way. Until the recent election of the Australian Labor Party (ALP), the climate performance of the Australian states and territories outpaced that of the federal government. In India, state governments have developed State Action Plans and regional partnerships. In Japan, major urban cities such as Tokyo, Osaka, Kyoto and Yokohama have committed to net zero carbon emissions by 2050. Tokyo is considered to be at the forefront of climate leadership. There are also signs in Vanuatu that thanks to aid funding, climate adaptation is contributing to 'new forms of local state-building' (Chapter 11).

There has also been innovation to deal with the problem of short-termism. Key elements of a planning state are present in all the case study countries, such as targets, plans and coordinating mechanisms related to climate change. Bhutan, for example, has a National Adaptation Programme of Action. Fiji has National Development Plans and the Green Growth Framework, both of which aim to achieve net zero carbon emissions by 2050. Tuvalu has *Te Kete*, the 10-year National Strategic Plan which seeks to develop a long-term national adaptation strategy, including worst-case scenarios for rising sea levels. In India, the Prime Minister's Council on Climate Change has driven nationwide climate action; NITI Aayog, the federal government's highest policymaking body which includes the Chief Ministers of all the states and Union Territories, has developed plans on phasing out fossil fuel dependency, renewable energy, a low carbon economy and climate mitigation. The Singapore Government has established an Inter-Ministerial Committee on Climate Change to coordinate climate action across ministries.

There are, of course, major caveats to this. Central elements of a planning state, such as regulation of the economy and holistic risk management—including planning for a just transition—are far less evident. Critically, there is little evidence of a concerted effort to ensure democratic planning states. Indeed, the evidence runs in the opposite direction to ‘top-down’ climate action (see Section 12.2).

In some of the case study countries, constitutional provisions seek to promote longer-term thinking. Anticipating the UN General Assembly’s 2022 resolution on ‘The human right to a clean, healthy and sustainable environment’ (United Nations 2022), these constitutional provisions specifically provide protection for the environment and regard for future generations. Bhutan’s Constitution, for instance, states that ‘[e]very Bhutanese is a trustee of the Kingdom’s natural resources and environment for the benefit of the present and future generations and it is the fundamental duty of every citizen to contribute to the protection of the natural environment, conservation of the rich biodiversity of Bhutan and prevention of all forms of ecological degradation’. It also requires that more than half of Bhutan’s land be maintained under forest cover. Fiji’s Constitution provides that: ‘Every person has the right to a clean and healthy environment, which includes the right to have the natural world protected for the benefit of present and future generations through legislative and other means.’ Vanuatu’s Constitution imposes a duty on every person ‘to protect the Republic of Vanuatu and to safeguard the national wealth, resources and environment in the interests of the present generation and of future generations’ (Vanuatu’s Constitution 1980 (2013): art. 7(d)).

India’s Constitution states that its citizens have a duty ‘to protect and improve the natural environment including forests, lakes, rivers and wildlife, and to have compassion for living creatures’, and that ‘[t]he State shall endeavour to protect and improve the environment and to safeguard the forests and wildlife of the country’. In several landmark decisions, the Indian judiciary has interpreted these provisions to compel governmental action and to recognize ‘the polluter pays principle’. The case study on India concludes that ‘[a]mong India’s formal institutions, it is the judiciary that has shaped the cumulative national response to environmental protection and climate change’.

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These constitutional provisions highlight innovation in relation to a solidaristic ethos. All of the above provisions seek to establish solidarity in three dimensions—intragenerational solidarity (present generation); inter-generational solidarity (future generations); and solidarity with nature (environmental). Such innovation does not have to take the form of fundamental legal norms but can also be effected through fundamental political norms (what might be called a ‘political constitution’: Griffith 1979). In Fiji, *Vanua* refers to the interdependence of the physical, social, spiritual and economic; in Tuvalu, *Fenua* embraces its islands as a living persona that is connected to the environment. Both countries underscore the IPCC’s recommendation to learn from Indigenous knowledge (see Chapter 1). In Australia too, there are early signs of such learning.

In Bhutan, a solidaristic ethos is given effect through a developmental approach based on Gross National Happiness, which comprises four pillars—preservation of culture, conservation of the environment, economic development and good governance. In Japan, the ruling LDP has raised the prospect of a developmental approach based on ‘a new form of capitalism’.

Three-dimensional solidarity is also evident in political practice through the exceptional cohesion between government and civil society organizations (CSOs) in terms of international climate action in Bhutan, Fiji, Tuvalu and Vanuatu. In Vanuatu, for instance, prior to the COP 26 Glasgow meeting, a climate action parade was jointly organized by government and CSOs.

Despite the curtailment of space for civic action (as assessed by CIVICUS), there have been strong civil society efforts on climate action. In India, for instance, solidarity within civil society is strong with ‘CSOs, community-based associations, youth groups, and religious/charitable organizations that have collectivized around a common purpose to fight climate change and its effects’. In Indonesia, cross-sectoral CSOs, including religious organizations, increasingly champion the climate agenda.

There has also been innovation in terms of fair and inclusive politics. The recently elected ALP has committed to enact controls on political spending, effective disclosure obligations and truth-in-political

advertising laws in an effort to address the toxic role of money in Australian politics. The case studies on Japan, Solomon Islands, Tuvalu and Vanuatu call for greater inclusiveness in processes for dealing with the climate crisis, in particular more involvement in political processes by women and youth—including in the legislature.

Finally, there have been powerful efforts to invigorate multilateralism. Of the case study countries, Bhutan, Fiji, Solomon Islands, Tuvalu and Vanuatu stand out in terms of global and regional leadership on climate action. The Torres Strait 8 have had their complaint against the Australian Government alleging breaches of key human rights upheld by the UN Human Rights Committee. In taking international legal action to obtain climate justice, Vanuatu is actively exploring possibilities under international law to sue carbon-emitting governments and the fossil fuel industry for the costs of loss and damage to low-carbon nations linked to climate change, and seeking an advisory opinion from the International Court of Justice on the rights of future generations to be protected from climate change.

Multilateral meetings have been instrumental in prompting multilateralism. Fiji presided over COP 23 in 2017 and Japan was active internationally at the time the Kyoto Protocol was adopted. The recently elected ALP government is seeking to co-host a future Conference of the Parties in Australia with the Pacific nations.

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**There have been powerful efforts to invigorate multilateralism.**

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## 12.5. RECOMMENDATIONS FOR DEMOCRACY IN THE CLIMATE CRISIS

In *Democracy and the Challenge of Climate Change*, Lindvall (2021) makes wide-ranging recommendations clustered under six headings:

- Overcome short-termism
- Ensure citizens' participation
- Act on climate injustice
- Develop knowledge-based decision making

- Strengthen state capacity
- Further research needed

The findings of this Report endorse the multi-pronged approach adopted by Lindvall (namely, various democratic objectives; different levels of government and society; integration of policy and research). It specifically supports the following recommendations made by Lindvall:

- **Overcome short-termism.** Adopt climate laws and emission reduction targets, and develop constitutional frameworks (broadly conceived) for long-term decision making.
- **Ensure citizen participation.** Invite citizens to participate in formulating climate policies.
- **Act on climate injustice.** Ensure a just transition and strengthen gender equality.
- **Strengthen state capacity.** Fight corruption and counteract aggressive lobbying and policy capture.
- **Conduct further research.** Particularly on the threats to democracy from the climate crisis.

This Report makes five further recommendations on policy and research:

- **Identify and implement ways to establish a democratic planning state.** The climate crisis calls for a stronger state in the form of a planning state and democratic responses should be situated in that context.
- **Strengthen a solidaristic ethos.** The challenge here is to expand what de Tocqueville (1874) characterized as ‘the spirit of democracy’ to include future generations and nature; and to institutionalize this ethos in laws and policies, including economic and development plans.

- **Place Indigenous perspectives at the centre of democratic politics.** This is imperative in terms of voice, justice and also learning—especially in relation to a solidaristic ethos.
- **Ensure that international funding for climate action is based on effective democratic mechanisms.** Such funding is essential for many countries and should not come at the expense of undermining their democratic institutions.
- **Invigorate multilateralism by learning from the most climate vulnerable.** Through their concerted action in international forums, climate-vulnerable communities such as those in Bhutan, the Pacific Islands and the Torres Strait Islands in Australia have set an example for the rest of the world.

All these recommendations seek to harness democracy to address the climate crisis. They also draw strength and support from democracy in a way that transforms and deepens our understanding of the concept.

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