
CHAPTER 10

MEGACITIES AND GLOBAL ACCORDS

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The purpose of this chapter is to address some daunting institutional challenges raised by tension between two powerful realities in the world economy today – the increasing urbanization of the world's population and the demands generated by megacities and the expansion of formal and informal accords among nations.

CRITICAL DISCONNECT

This juxtaposition points to a critical disconnect: On the one hand, the nature of global accords and the instruments available for implementation are formulated at the global level, with national governments as the prime participants in their formulation. On the other hand, quotidian realities—social, economic, environmental, and others—are shaped by institutional policy at “lower” levels of governance within those jurisdictions. Global accords on matters that might affect populations in megacities are formulated in international forums, ratified at national levels, and not necessarily formulated with any reference to governance and institutions at the municipal level.

This disconnect raises a question of critical importance: if population concentrations in urban cities can be seen as major sources of environmental, economic, social, and other dislocations—stressing the resilience of the social fabric and of the basic elements of life-supporting systems—can effective responses to these challenges be undertaken without the direct representation of urban concentrations and the direct participation of megacity governments?

The disjunction is one of locational and jurisdictional inconsistency between the source of the problems and the response, in terms of formal decision making at the international and global level.

GLOBAL REALITY

In global politics and its legal underpinning only states are enfranchised to act on behalf of individuals. Only states represent populations; only governments represent constituencies. Individuals per se (thee and I) have no formal legal standing, nor do any jurisdictions other than the state. While there is evidence of some movement toward recognition of alternative “voices” in international forums, only the state is recognized as “voter.” Therein lies the heart of the dilemma:

The state represents a range of demographic constituencies that transcend urban conglomerations. However, since effective distribution of political power may not generally be “mappable” across demographic landscapes in terms of commensurate scale and scope, megacities may be disenfranchised. They have no vote at the global table and they may not even have an effective voice. Their demands and their claims are on a par with the demands and claims of other groups and interests represented by the same national government. Does this matter? If so how, if not why not?

This chapter is about the nature of the disconnects between the “demands” of the megacity constituencies in relation to the “supply” of institutional responses. It is about the challenges of reconnecting them to existing global political institutional and legal arrangements.

THE LOGIC OF GLOBAL ACCORDS

The term *accords* refers to a range of formal and informal agreements among states designed to generate common action targeted to commonly understood outcomes. What makes such accords “global” in nature is the intent to obtain universality in coverage, spanning all of the sovereign states in the international system.

Three Questions

The logic of global accords rests on three key questions, generally known as the *why*, *when* and *how* of global accord: 1. Why collaborate? 2. When to collaborate? 3. How to collaborate?

Why do states engage in such activities when they clearly entail commitments and responsibilities? Of the many conditions that necessitate global accords, two are particularly apt in reflecting the cluster of reasons driving the quest for accord. Countries collaborate (a) in the pursuit of common interests, or (b) in the management of common aversions.

In the first instance, states seek collaboration in order to jointly pursue some objectives that they might not be able to attain individually. In the second instance, the quest for collaboration is driven by the awareness that they face common adverse conditions that require coordinated action for effective management. This general logic

presumes that countries can identify their specific preferences and objectives, as well as vulnerabilities and sensitivities. It also presumes that countries are able to identify the conditions under which unilateral action is not appropriate or bilateral operations will not be effective.

By definition, collaboration involves self-imposed internal or external constraints on national sovereignty. Internal constraints mean refraining from taking actions that have national consequences. External constraints mean refraining from generating adverse effects outside territorial boundaries. In the environmental domain, broadly defined, as well as in the domain of sustainable development, global accords involve both sets of constraints.¹

Core Motivations

Underlying the formation of global accords is the evolution of shared understandings, common formulation of problems at hand, and a joint quest for modes of coordinated action. In those terms, the accords themselves are the end product of one type of process; namely that of reaching an agreement. The follow-up requirements involve an entirely new and often complex set of processes at both national and international levels.

The duality, framed in terms of joint pursuit versus common aversion, begs the question of contents, i.e., *what* is it that is being pursued or needs to be avoided? *Who*, exactly, is engaged in avoidance or in pursuit should a decision result in success or failure (assuming clarity on criteria for each). *What* difference may any of this make?.

In this connection, it may well be that disjunctions initially apparent in paths toward accord may eventually impede follow-up and implementation processes. A closer look at both sides of the equation might clarify the issues at hand: the realities of mega cities (which generate environmental and other dislocations) and the patterns of global accords (that attend to respond to human anthropogenic dislocations).

Collaborative Imperative When does collaboration become an imperative?

Collaboration becomes an imperative when the problem is recognized, when it is pervasive, when it eludes unilateral solution and, above all, when “no action” inevitably means a deteriorating outcome. These properties are well illustrated in the environmental domain, and can often be characterized in a brief and pithy way. Summarized below are some of the features that reflect environmental realities, local and transboundary. Transboundary and global environmental problems are commonly characterized by uncertainty, irreversibility, and complexity. While they may sound like clichés, these frequently made observations about environmental issues do reflect basic realities:

Nature is a player. This means that environmental effects of human action may take on unanticipated forms, whose uncertainties are great enough to insert a random element of strong proportions that cannot be contained by human action.

Damage is due to legitimate action. Far from reflecting pathology and deviance, environmental damage is often due to the most normal, routinized, and legitimate behavior, whose very nature may be condoned if not lauded worldwide.

Force cannot work. In such contingencies, the deployment of troops, the most conventional instrument of force, is a singularly ineffective, if not a remarkably useless course of action, in that the response is irrelevant to the nature of the challenge.

Compliance is imperative. The pervasiveness of environmental dislocation means that no one can be immune from “attack” so to speak and that everyone’s security is contingent on compliance by everyone else.

Doing nothing may do further damage. Simply by choosing not to take a stand, nations can accentuate prevailing environmental problems; thus, the costs of not participating in evolving environmental accords will be equivalent to overt opposition.

Once collaboration takes place in an institutionalized context, one might ask: why does institutionalization happen? Why is that necessary?

Institutional Necessity

To simplify, the conventional understanding is that institutionalization at the global level takes place in order to: consolidate and pursue new norms; and coerce states that resist the new norms, and pressure norm breakers into conformity. Institutionalization helps reduce uncertainty in process, outcomes, and information, and it may also generate and maintain shared modes of communication, understandings, and explanations. Finally institutionalization is believed to facilitate mediation among conflicting actors, and enhance overall prospects for problem.

All of the above are contingent on some minimum degree of shared understanding of the challenges at issue, and acceptance of the dual principles of participation and representation. So, we must invariably ask ourselves: Is there shared understanding among those that govern megacities? Do megacities participate in global forums? Are they represented?

THE “DEMANDS” OF MEGACITIES

Previous chapters of this book addressed various sources of environmental degradation traceable to activities in megacities, as well as a range of technology- and policy-based

responses. In essence, they reviewed the nature of the “shared understanding.” Three sets of factors become relevant at this point: the sources and causes of environmental dislocation; the scale and scope of environmental damages; and the behaviors that provide the connections between the first two sets.

At issue are the environmental strains which are rooted at the local level but “travel” to the global commons. In other words, problems arising from concentrations of population in megacities are relevant to global accords. These concentrations share a common “anatomy of urbanization,” a term that reflects the conceptual complexities inherent in urbanization.

While many of the earlier chapters highlighted the characteristics megacities. citing facts, figures, metrics, and models, none provided a full accounting of the urban profile. Such accounting is relevant to the alignment of demands generated by urban populations and conditions, and the nature of the supply of solutions, so to speak, to meet these demands.

Drawing on the analytical framework of the Global System for Sustainable Development (GSSD), an interdisciplinary knowledge-networking system, we show in Figure 1 the “urbanization profile.” The content of Figure 1 (see following page) has been derived from a comprehensive review of the literature on urban concentrations and megacities, in national and international contexts. Its constituent elements comprise a conceptual map summarizing what we now understand to be the broad empirical characteristics of urbanization.

Megacities, in this context, represent extreme or more intense manifestations of the urbanization profile. Significant in the logic of Figure 1 is the differentiation among actions, problems, and classes of “solutions”—social as well as technological. The sustainability problems represent the “demand” side. The attendant two sets of responses—scientific and technological, on the one hand, and social and regulatory, on the other, reflect the response patterns. More often than not, the response modes have been addressed as separate and unconnected to the problems. Therein lies yet another “disconnect.”

THE “SUPPLY” OF COLLABORATION

International collaboration takes on many forms. As noted, global accords are coordinated actions designed to be universal in scope. Beyond that basic criterion there are a range of possibilities and contingencies. Accords may be formal or informal. They may be legally binding or formulated as “soft law.” They may be supported by formal institutional mechanisms or they may not. And, finally, there may or may not be provisions for sanction.

Thus, while we commonly think of global accords as formal treaties, the fact remains that the modes of accord are as extensive as the instruments that are devised to facilitate implementation. There are many forms of agreements—with different de-

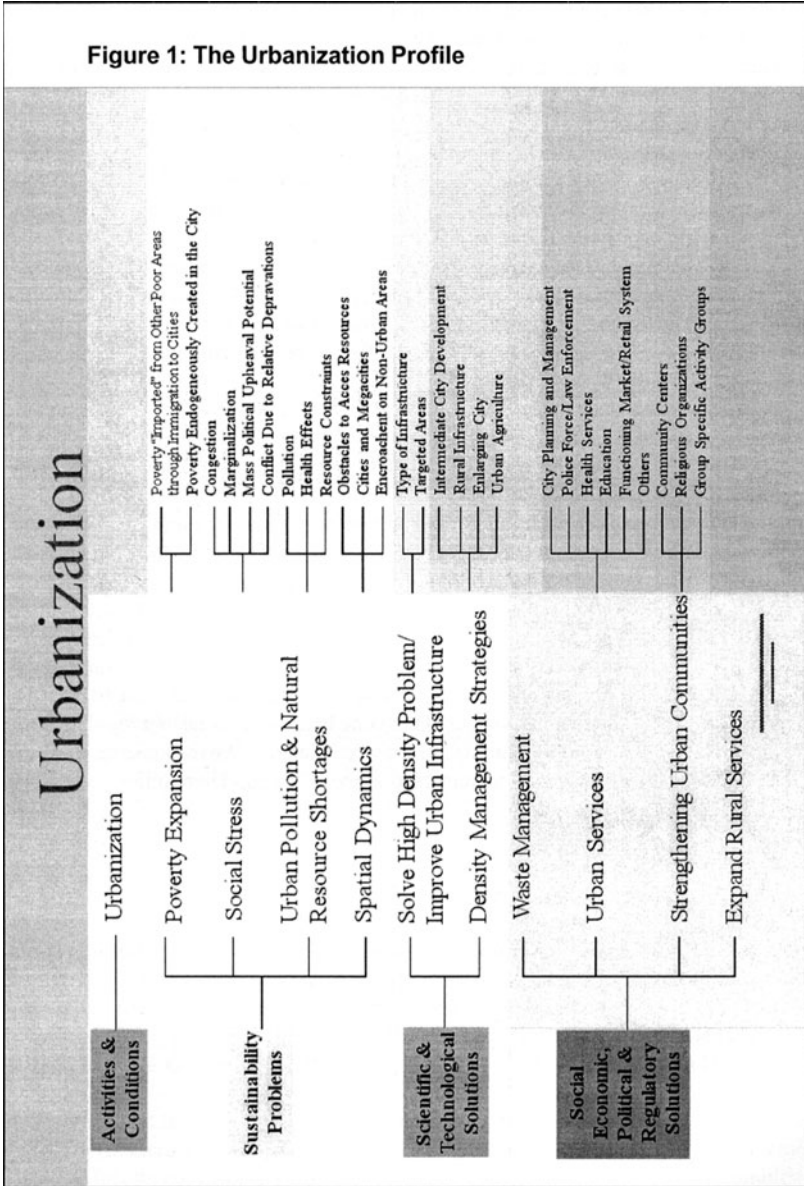


Figure 1: The Urbanization Profile

degrees of commitment—that can be viewed as “accord.”

In the domain of environmental management and sustainable development the spectrum ranges from formal legally binding accords (i.e., the Conventions) to informal agreements and “soft law” (like *Agenda 21*), on the one hand, and a set of varied instrumentalities and modalities, on the other as listed in Table 1.

Table 1: Global Accords and Modes of International Coordination

1. Agenda 21
2. Formal Conventions
3. New Development & Investment Mechanisms
 - Cleaner Development Mechanism
 - Joint Implementation
 - Activities Implemented Jointly
 - Innovative Investment Systems
4. Technology Agreements
5. Monitoring Performance
 - Limits on Hazardous Activities
 - Benchmarking Systems
 - Compliance Records
6. Codes of Conduct & Voluntary Agreements
7. Financial & Investment Codes
 - Environmental Conduct
 - Voluntary Agreements
 - Human Rights Issues
 - Other
8. Conflict Management & Peace Strategies
 - Dispute Resolution
 - Peace-Keeping
 - Conflict Prevention
 - Other
9. Population Management
 - Population Policies
 - International Migration Strategies
 - Resettlement Initiatives
 - Other
10. Economic Adjustments & Agreements
11. Trade Regimes & Agreements
12. Environment Agreements
13. Private-Public Partnerships
14. Strategies of International Institution

This list is simply a reminder of the diverse instrumentalities at hand. Almost every one of the modalities in Table 1 affect urban areas and megacities directly or indirectly. This is, of course, because of the location of populations. While items (1) and (2) are those most commonly referred to when referring to “global accords” it is often useful to consider that these modalities are often supported by some combination of (3) – (14). Recalling the earlier chapters of this book, we note that most of the activities highlighted are, in principle, accord domains.

Conceived as legally binding international commitments, the Conventions represent the strongest form of accord and require the most intrusive forms of institutional supports. This is because a formal commitment entails a corollary commitment to put in place enabling mechanisms, nationally or internationally, as the case may be. This corollary is an “insurance policy” to make sure the objective is achieved.

To reduce the potential for noncompliance due to capacity constraints, i.e. countries may be *unable* as opposed to being *unwilling* to comply, formal commitments are increasingly accompanied by a range of capacity-building measures. This is especially the case in the domain of environment and sustainable development. Many of these measures are institutional innovations which can often impinge on traditional conceptions of “sovereignty.”

MODES OF REDUCING DISCONNECTS

While states remain the only “voters” in global forums, there has been discernable movement toward expanded forms of participation. This move is driven by the realization that “environment” and “sustainability” are characterized by rather novel properties distinguishing this realm of evolving international law from other domains of international interaction. The United Nations Framework Convention for Climate Change (UNFCCC), the Kyoto Protocol, and the follow-up measures—all targeted specifically to environmental factors—illustrate the institutional innovations as well as the attendant disconnects.

Among the distinctive features of these accords is its framework strategy, rather than precise commitments; process orientation coupled with target specifications; provision for internal as well as international institutional supports; and commitment to long-term adjustment processes based on expectations of innovations in policy instruments.

Less formal than the UNFCC process, but no less pervasive is the process leading to Agenda 21, coupled with the formulation of its contents and institutionalization of the follow-up mechanisms via the UN Commission on Sustainable Development. Central to these novelties is the tendency for various interests and interest groups to organize networks of communication that eventually become networks of influence. As a result, the increased use of “observer status” in international forums, combined with the provision of space and the allocation of time for various nongovernmental

groups to convene during the formal negotiation processes has given nonstate actors new venues for voicing their concerns, if not their demands.

While none of these “innovations” alter the fundamental constitution of global politics, they do provide the basis for enhanced politicization through greater participation. In other words, more people are more visible as they become close to, if not “at the table”. So too, none of this transforms the basic sovereignty of the state. It does render the actions of the state more transparent and subjects its formal actions to greater scrutiny.

Toward Accommodation

These processes are designed to accommodate nonstate actors and interests only to the extent that these can be incorporated within the formal structures of deliberation among sovereign entities. Only the states are “at the table.” Any other units, groups, or representatives of any level are factored in only through national representation, i.e., via the state. This means, clearly, that none of these processes have been devised by or for urban constituencies, nor do they directly accommodate the needs of these constituencies. More importantly, they cannot, by definition, respond to urban needs specifically. This is the source of a major disconnect.

At the same time, however, the consolidation of these new institutional processes invariably create conduits through which the demands of local constituencies can be reflected in global forums. Invariably, also, they point to the fundamental disconnect that the mayors of megacities are not (and cannot be) “at the table” nor is their any legal provision for their presence. However, they now have access to transmission mechanisms that may ensure that their views emerge in the global policy formation process.

Transcending the State?

What happens when and if these views do make their way through the formulation process? In essence the same challenges of disconnect remain. If and only if the national government is willing to engage in a dialogue with the megacity institutions can authority devolve from the state to the cities. In this instance, the cities are hostage to the constitution of the state—in this case with respect to the internal political and governmental arrangements rather than to the external realities of interstate relations.

There is, here, a profound irony, or perhaps more accurately, a significant manifestation of the disconnects in question, framed in the nature of a paradox. The paradox is this: Empirical evidence suggests that institutional arrangements and innovations bearing on public policy work “best” in cases where the governmental structure is in place. This is necessary for any effective coordinated action. Since “action” on urban issues must take place at the municipal level, and the relevant governance must also be at that level, securing the involvement and compliance of megacities in

the domain of global accord for environmental management appears to “miss” a critical institutional level.

Governance at the municipal level is not enfranchised to negotiate in the international domain. It cannot bypass the state-level institutions, but its active involvement, participation, and compliance are necessary for the performance of the state.

Somewhere in the formulation of global accord and in its implementation the impacts of this disconnect becomes salient. In the absence of re-connects, this reality generates structural impediments to compliance. In such instances, the causes of failure would be structural rather than substantive in nature—induced by institutional arrangements and not by the contents of the issues themselves. So, what forms may structural remediation take? What processes might suggest themselves?

Toward Re-Connects

In the absence of any serious potential for redesigning the global state system, the most plausible approach might involve rendering some of the existing instrumentalities more robust. Among these are: international pressures on national government to formally account for urban “representation” in global forums (as part of the national delegation or in nongovernmental contexts); formal arrangements among mayors (or functional equivalents) of megacities to represent their own interests directly in global forums (as nongovernmental agencies); organized articulation of the interests of the megacity by its representatives to obtain new incentives from national institutions or international institutions; and the potential for direct negotiation on projects that arise in discussions of cleaner development mechanisms(CDM) and other topics.

The key requisite here is to raise the political profile of urban constituencies in international forums, and to emphasize the point that *any* prospect for effective implementation of global accord at the national level requires, by necessity, urban participation and evidence of success in the megacities. Even if national governments “sign on,” ratify, and move toward implementation and considerations of compliance, it is difficult to see how population concentrations in megacities cannot be included as a major, if not most significant element in a program of national response.

None of this, however, translates into the fundamental need for an alignment of urban and national interests. Across the international community, broadly defined, it is reasonable to expect that the disjunction between them appears more of a rule than an exception.

The Climate Change Convention

Much of the deliberations and reporting of outcomes for UNFCCC-COP/5 has stressed two major venues of deliberation—the state-centered forums and the NGO-based deliberations. However, even when diversity of “interests” is evoked it is almost always with reference to diversity of interests across states. The disconnects addressed in this

chapter pertain to the global implications of subnational interests and of their potential disjunction with national interests. The data requirements (within the context of national reporting as well as the IPCC) are nationally defined, sectorally formatted, and activity-framed (as observations permit). None of these map directly on to prevailing urban configurations.

CONCLUSION: THE “MAINTENANCE CHALLENGE”

Until such time as the state system formally recognizes nonstate actors as legitimate voters in international forums, managing the problem of disconnect can only be addressed through channels that recognize the potential effects of nongovernmental mechanisms.

Four venues, any one of which might have some merits, offer the possibility of bridging this divide. Taken together, they could increase significantly the potential for reconnect. They are (a) consolidation of political networks; (b) combining resources for generating and marshalling needed knowledge; (c) maintaining a sustained presence in international forums; and (d) exerting mounting pressures on national representatives to consider urban interests.

None of these venues can result in voting rights, or even in a powerful place at the proverbial negotiation table. But they can contribute significantly to two desired outcomes, representation and participation.

The mayors of megacities command powerful political resources, augmenting whatever might be their financial and other assets. While none might find it politically attractive to battle with the state, most may raise the possibility as a deterrent against undesirable postures by the national government. The deterrence power might be greater if mayors formalize their networks of political communication, targeting the difficulties outlined here, and seeking to re-connect municipal and national interests in international forums.

Strengthening the common pool of knowledge would improve their bargaining position, individually and collectively, vis a vis national governments involved in shaping global accords. By the same token, compensating for the absence of voting rights, a sustained presence in each and every international negotiation appears prudent, if not necessary. Measures such as these should be undertaken to maintain sustained pressures on national governments, ensuring that urban concerns are considered both in the formulation and the implementation of global accords.

In the last analysis, effective representation and participation of megacities is necessary—perhaps even sufficient—to ensure transitions toward effective global environmental responses. The costs of disconnects are borne by everyone and everywhere. Re-connect strategies are a necessity, not a luxury, given the complex global realities of the future.