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# Greening the (welfare) state

Rethinking Reflexivity in Swedish Sustainability Governance

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# Abstract

Contemporary developments in sustainability governance have enhanced environmental policy and pursued comprehensive institutional reforms in a range of countries. Theoretically, these green transformations have induced a debate on the role of the state for reflexive and ecological sustainability governance. Informed by Eckersley's political theory of the green state, this thesis offer an analysis of the prospects for a (social democratic) welfare state to become green(er). The regulatory ideals of a green state – as an ecological steward and a facilitator of ecological democracy to pursue reflexive ecological modernization – is contrasted with the political-institutional practices of contemporary institutional reforms for sustainability in Sweden. In a case study of the Swedish strategy for sustainability in general, and of the Environmental Quality Objectives (EQOs) and the Environmental Code in particular, the potential for reflexive governance are analysed. The implication is, that welfare states such as the Swedish may become more reflexive, and hence more 'ecological' or 'green', but not necessarily in ways presumed in green political theory.

*Key words:* environmental policy; sustainability; reflexive governance; political ecology; ecological modernization; ecological state; green state; welfare state; Sweden

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# 1 Introduction

## 1.1 Scope

The concept of sustainable development has, since the Brundtland report in 1987 and the Rio conference 1992, had a major impact on domestic environmental policy and on global environmental governance. The very discourse and the implementation of sustainable development strategies has pursued a “renewal and expansion” of environmental policy (Eckerberg, 2001:17). States, in particular in Northern Europe, have in response to this introduced more or less comprehensive institutional reforms for ecological and sustainability governance. What are the implications of these contemporary developments? Towards where are they heading? A standard answer nowadays seems to be ecological modernization and, in the spirit of Maarten Hajer (1995), its discursive impact in policy rhetoric and institutional practices. But, aren't there any prospects beyond these discourses of sustainable development and ecological modernization? Might the collective trajectory of states, actually, give rise to more ecological responsible, or green(er), states?

This directs our attention to issues on how to organize for ecological sustainability and on the role of the state in such sustainability governance and transformations towards a green(er) state in particular. In the political-theoretical realms of political ecology this has induced debates on linkages between the environment, democracy and the state – on e.g. ecological rationality (Dryzek, 1987; Lundqvist, 2004a); ecological democracy (Barry, 1996; 1999; Doherty and de Geus et al, 1996; Dryzek, 1996); the role of social movements, civil society and green public spheres (Torgersson, 1999; Dryzek et al, 2003); the ecological state (Lundqvist 2001a; Meadowcroft, 2005) or the green state (Eckersley, 2004; Barry and Eckersley et al, 2005); or even on the prospects for green liberalism (Wissenburg, 1998; Jagers, 2002). These debates are also informed by ecological modernization theory (Hajer, 1995; Mol, 1996; Christoff, 1996, etc), and by comparative analysis of implementation of sustainable development (e.g. Lafferty and Meadowcroft et al, 2000; Meadowcroft, 2007) and environmental capacity-building (e.g. Jänicke and Weidner et al, 1997).

In this context, Sweden offers an interesting case of institutional reforms for sustainability governance. Sweden has during the last decade introduced perhaps one of “the most far-reaching strategic, legal, administrative, and tax reforms to integrate environmental and economic policy in the world today” (Eckersley, 2004:74). In 1996 the former Swedish Prime Minister Mr. Persson envisioned a

common mission “to create a *green welfare state*” through the ‘Greening of the People’s Home’. This proved to mark the beginning of a distinct shift in Swedish environmental policy later institutionalized in a comprehensive strategy for a ‘Sustainable Sweden’. Is this strategy – with inspiration from Lundqvist (2004a) – to be understood as merely a Swedish model of ecological modernization, or are there more far-reaching ambitions beyond the discourse? If so, is the green welfare state compatible with other notions of the ecological or green(er)state?

The scope of this thesis is to examine how critical the Swedish case is for transformations towards green(er) states and, ultimately, ecologically sustainable outcomes. Deriving in the politico-theoretical debate on this matter I will rethink the implications of, and for, the Swedish case of real-world institutional reforms in sustainability governance.

### 1.1.1 Research question

Rephrasing the scope somewhat these issues can be addressed in the following overarching research question for this inquiry:

*What are the prospects, or potential, for a welfare state like Sweden to transform into a green(er) state?*

Inherent in this question lies a related issue, namely whether the (Swedish) welfare state are compatible with theoretical conceptions of a green(er) state? This question is approached by examining, and rethinking, the potential for reflexivity in Swedish sustainability governance.

## 1.2 Methodological approach

What I have set out to accomplish is a task contrasting political theories of greening the state, in particular Eckersley’s theory of the green state, with real-world experiences of recent developments in the political-institutional practice of sustainability governance. Political theorists, whether green or not, have approached the issue of sustainability (or ecological) governance<sup>1</sup> from mainly two angles. Green political theorists have a tendency towards the (meta)-theoretical dimensions of the green mission and, in line with the emancipatory appeal of critical theory, its normative political and institutional implications. But, green theorists have also been both contributory and informed by comparative

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<sup>1</sup> These terms are used more or less interchangeably; while sustainability governance refers to both ecological and social norms, ecological governance is based on some form of functional (ecological) rationality (cf. Dryzek, 1987) in ‘securing the integrity of the commons’, be it in ways restricted by democratic norms (Lundqvist, 2004). However, my emphasis on greening the state – one strategy among others for sustainability – direct my attention to environmental policy increasingly concerned with ecologically sustainable outcomes.

analysis. Contemporary (institutional) comparative analysis of environmental policy have recently been preoccupied with issues on the implementation of sustainability, ecological capacity-building and governance structures.

The ambition of this thesis ought to be understood to lie somewhere in between these traditions, but with a clear stance towards theoretical implications for institutional practices. In relation to Eckersley's 'critical political ecology' – informed by what she terms "critical constructivism" (2004:8ff) – which has explicitly normative and emancipatory ambitions, illustrated in a set of constructive (constitutional) proposals, my ambition is more modest (while not unfamiliar). I will take as my point of departure her theory of the green state in order to use it as a normative "counterfactual ideal", or a distinct perspective, against which the political-institutional practices are to be analysed. In the next chapter (ch. 2) this theoretical perspective, and how it contrast to some other contributions on greening the state, is investigated to expand our understanding of the transformation towards a future green state. The purpose is to derive some core characteristic (call it, 'criteria' for reflexivity) for such a green transformation. These characteristics may inform and guide the empirical analysis of Swedish institutional reforms for (ecological) sustainability. This is carried out in an case study (ch. 3) of the Swedish strategy for sustainability<sup>2</sup> in general, and in particular of two reforms; the environmental quality objectives (EQOs); and the Environmental Code. In short, my aim is to rethink the Swedish model for sustainability in an analysis informed by the regulatory ideal of the green state and the processes of transformation it implies (reflexive learning). That is, to discuss the reflexivity in Swedish sustainability (or ecological) governance.

### 1.2.1 Sweden – a critical case of a green(er) state?

Environmental policy has gone through considerable change in many developed as well as developing countries during the last 15-20 years, and sustainability strategies are assessed and adopted at an increasing pace. However, according to a range of works in comparative analysis the most comprehensive and structural approaches are so far typically found in developed nations, in particular in Europe (Meadowcroft, 2007), where the institutional capacity for environmental policy has improved most considerably (cf. Jänicke and Weidner, et al 1997). There seem to be broad agreement that the implementation of sustainable development has been particularly strong in countries such as Germany, the Netherlands, in Scandinavia and, lately, in New Zealand (e.g. Meadowcroft, 2007; Lafferty and Meadowcroft, 2000, Eckersley, 2004; Dryzek et al, 2003).

Swedish environmental policy has during this period experienced considerably improvements in response to the quest for sustainability. Sweden is commonly

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<sup>2</sup> In line with Meadowcroft (2007), I understand such an strategy for sustainable development to represent both the adopted policies, and their subsequent implementation, *and* the wider, and iterative, processes of policy-making from agenda setting to monitoring and reassessments.

regarded, not only one of the early pioneers in environmental policy (Jänicke and Weidner, et al, 1997), but a leading country in sustainability governance as well (Lafferty-Meadowcroft, 2000; cf. Lundqvist, 2004a), representing one of the most comprehensive institutional reforms post-Rio for ecological sustainability (Eckersley, 2004). Such observations, I think, are in strong favour of Sweden as a critical case for assessing the prospects for a green(er) state.

Although my focus is oriented towards what Eckersley (2004:142) calls the “domestic face” of the green state, we still need to keep in mind the impossibility of “ecologism in one country” (Lundqvist, 2004a) due to the transnationality embedded in modern sustainability governance. However, as Meadowcroft (2007:155) states, contemporary strategies for sustainable development are typically approaching “national issues in the context of international problems and processes”; a statement that seem to holds true also for Sweden.<sup>3</sup> Nevertheless; if we would like to explore the practice of potentially emerging green(er) states, where to look if not among the states with the best records in environmental performance at present, be it Sweden or someother European progressive state?

## 1.2.2 Material

The scope of this thesis is both theoretically and empirically oriented. Subsequently, the material applied in the thesis is twofold. First, the theoretical analysis is based on recent works in green political theory and comparative analysis of environmental policy concerning the role of the state in sustainability governance. In particular two contributions are of major influence for my work; Robyn Eckersley’s contribution to a normative theory of *The Green State* (2004) is of course central for my analysis; and Lennart J. Lundqvist’s *Sweden and ecological governance: Straddling the Fence* (2004a) which offer the most comprehensive comparative analysis of ecological governance in Sweden

Second, the analysis of the Swedish case towards a green(er) state is based on empirical analysis of primary material, e.g. official policy documents, commission reports, monitoring, etc. As one part of the case study concerns the Swedish Environmental Code my analysis, to some limited extent, also builds on legal analysis. In complement to this, my analysis is informed by previous empirical and comparative analyses (e.g. Lundqvist, 1997; 2001b; 2004a; 2004b), that have been used as a type of secondary material. In a similar fashion the thesis builds on some of my own earlier analyses of Swedish environmental policy and law (e.g. Hildingsson and Andersson (2006) on the discursive shift in Swedish environmental policy), in turn based on primary (official documents, interviews) as well as secondary material. However, as a final disclaimer, my ambition ought to be understood as offering a merely illustrative, rather than a completely thorough, empirical analysis of the Swedish case.

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<sup>3</sup> For example, the Environmental Quality Objectives have increasingly been (re)assessed in international perspectives (cf. Prop. 2004/05:45; and EOC, 2007).

## 2 Theory: the Green State

*“(A)ny green transformation of the present political order will, short of revolution, necessarily be state-dependent” (Robyn Eckersley, 2004: 5).*

### 2.1 Introduction: Calling the State back in

The role of the state in ecological governance has been a central issue all along the modern environmental debate, i.e. since the 1960s. The dominant position in green political thought has been skeptical of the state as an entity for environmentally sound governance. Among statist, neo-Malthusian (e.g. Hardin, 1966; Ophuls, 1977) have argued the case for replacing the prevailing liberal democratic state with an ecoauthoritarian (or, ultimately a world government), while modern environmental pragmatists supports instrumental change from within the present order. By contrast, anti-statists have turned their back against the state with arguments such as “states systematically produce environmental degradation” (Paterson, 2001:45) and rather pursued alternative modes of governance, e.g. eco-anarchistic or eco-communitarian approaches arguing self-governing ecological communities as the only appropriate modalities (Paterson, 2001, is an example). This kind of anti-statist critique has also been popular (rhetorically at least) among green movements, in particular radical greens and new social movements rejecting the liberal state as reproducing a neo-liberal world order through economic globalization. But, in the words of Dryzek et al (2003:196), those “naive anti-statism and naive statism both fail” to sufficiently address ecological rationality (Dryzek, 1987) and “the integrity of the commons” (Lundqvist, 2004a).

Recently, scholars in political ecology have begun ‘calling the state back in’ again in efforts to develop theories of greener states – be it ‘the green state’ (Dryzek et al, 2003; Eckersley, 2004; Barry and Eckersley, 2005) or the ‘ecological state’ (Meadowcroft, 2005; Lundqvist, 2001a). While approaching the issue from different theoretical angles (in this case, green political theory and institutionalist comparative analysis), a common feature is to offer a stance against those hollowing out the state with ‘governance without government’ arguments (e.g. Rhodes, 1995, ref. in Lundqvist, 2001b). As Pierre and Peters (2000; ref. in Lundqvist, 2001b) have indicated, the state is still at the centre in governance. Hence, whether we like it or not, the state is the most essential modality (be it not the only) for sustainability governance and ecological emancipation. At present, and for the foreseeable future, states are the only authority appearant with both enough legitimacy to represent the people within

their territory and in international foras, and with enough coercive powers to facilitate the structural changes necessary for ecologically sustainable outcomes. And, as Eckersley has put it, “it is difficult to imagine how such changes might occur on the kind of scale that is needed without the active support of states” (Eckersley, 2004:6).

### 2.1.1 Ecological or Green(er) state

Then, what would constitute such an ecological or green(er) state?

Broadly speaking, the ecological state is “a state that places ecological considerations at the core of its activity” (Meadowcroft, 2005:3). Similarly, Dryzek et al (2003:164f) define the green state as a state adopting “environmental conservation” as a core state imperative by integrating environmental values with other state imperatives, in particular the economic (liberal, capitalist) and legitimation (welfare) imperatives. However, these two accounts differ considerably in several respects.

While Dryzek et al (2003:165) do not see any green states emerging yet, Meadowcroft thinks the collective trajectories in national environmental policies around the world already represents the emergence of such an “ecostate”, at least in the developed world (Meadowcroft, 2005). Such trajectories are particularly informed by the commitment to sustainable development and the integration of environmental concerns with core state activities, i.e. “to securing a social development that remains within the frontiers of environmental sustainability” (ibid, p 4, 6). This implies a state that goes beyond traditional environmental policy as a “post hoc adjunct to ‘normal’ economic and administrative activity” (Meadowcroft, 2005:4). That is, to go beyond what Jänicke calls “remedial” strategies towards more anticipatory (Jänicke, 1988; ref. in Hajer, 1995:34f), and what is generally thought as representing the discursive shift towards ecological modernisation. This represents what Hajer (1995:32) has called the technocratic and Christoff (1996:490f) the narrow or “weak” version of ecological modernisation (see further below, p.11).

Lundqvist (2001a; 2004a) offer a similar interpretation of the ecological state. Although his ambition is not to define any “*model* ecological state” (2001a:457), he seem to presume a state adopting “an institutional logic of *ecological rationality*” (2004a:4)<sup>4</sup>, i.e. as a core activity or imperative. This necessitates ecologically rational governance that fulfils four normative criteria, which might be interpreted as representing spatial (ecologically relevant boundaries); temporal (natural ecocycles; intergenerational equity); cognitive-informational (institutional capacity; science-policy relation); and political-institutional (integration) dimensions (Lundqvist, 2004a; cf. 2001a). The ecological state is also a democratic state, which implies the criteria need to be met within the limits of

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<sup>4</sup> Lundqvist refers to ecological rationality as not only an instrumental functionality (cf. Dryzek, 1987), but rather as a governance system that meet “the double standard of sustainability and democracy“(Lundqvist, 2004a:5).

liberal democratic norms, e.g. individual autonomy (2004a:16), and practices such as “representative and accountable democratic government” (2001a:458). Hence, the challenge is to enhance ecological governance in ways that are both democratically legitimate and ecologically rational. One way to make this is to adopt a mix of *direct* regulation (toward ends) and *indirect* regulation (regarding means) (Lundqvist, 2001a:460).

Lundqvist’s and Meadowcroft’s approaches might be understood as a request for transforming the democratic state into the ecological state from *within* the realm of the social welfare state<sup>5</sup> and within the limits of liberal democracy. One implication of this is that the ecological state “does not necessarily imply a thoroughgoing ecocentric political orientation” (Meadowcroft, 2005:5). Rather, states are able to enhance significant environmental improvements, and ultimately ecological sustainability, through the recognition of ecological limits for long-term social welfare, incremental reforms (ibid, p 4, 6) and “negotiated social governance” (Lundqvist, 2004; cf, 2001a).

This approach represents what Dryzek once have called “making the most of liberal democracy” (Dryzek, 1996:110)<sup>6</sup>, a pragmatic or instrumental approach distinctly different to green political approaches informed by ideals of ecological democracy. The problem to green political theorists is rather that liberal democracies are not sufficiently addressing the challenges of ecological sustainability and seem not capable to systematically prioritize sustainability (Saward, 1998, ref. in Eckersley, 2004:19, cf. p 88). Ecological understandings of democracy emphasize the need for adjusting democracy to the complexity of ecological problems and environmental (in)justices. This requires that the Enlightenment ideal of autonomy is reinterpreted so that “(e)cological freedom *for all* can... be realized under a form of governance that enables and enforces ecological responsibility” (Eckersley, 2004:107).

For green theorists the teleological development from welfare states to ecostates, as described by Meadowcroft, simply do not seem to hold (Christoff, 2005).<sup>7</sup> Christoff (2005) argues a more nuanced picture of states’ response to environmental policy and offer a typology of ‘green states’. In doing this he distinguish between e.g. the ecofascist state (neo-Malthusian), environmental neoliberal states (e.g. Australia, USA), environmental welfare states (i.e. Meadowcrofts ‘ecostate’) and the green state, of which the latter has yet to evolve through the reflexive (critical) processes of “strong” ecological modernization (cf. Christoff, 1996).

Even if liberal states has become increasingly more responsive to the environmental problematique, they are simply not regarded “reflexive enough in moving toward more ecologically sustainable societies” (Eckersley, 2004:86).

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<sup>5</sup> Both Meadowcroft (2005) and Lundqvist (2004a) seem committed to norms on socio-economic justice.

<sup>6</sup> Wissenburg’s green liberalism (1998) here represent a more classical (yet innovative) liberal account. Cf. also Jagers (2002) for an analysis of “protective” or “developmental” models of liberal democracy vs. sustainability.

<sup>7</sup> It need to be noticed that Christoff and Meadowcroft might not refer to the same types of welfare states. Christoff rest his argument of an historical exposé of Australian environmental policy, while Meadowcroft, however not explicitly, seem to refer to more advanced welfare states, such as social democratic welfare states.

However, the solution to Eckersley and other ‘statist’ greens, is not simply to reject the state or liberal democracy, but to ask “how the state might be rescued or perhaps reinvented as a site of democratic public power”. In this respect Eckersley’s attempt to develop a political theory of a distinctly green state, are to be understood as developing a postliberal, rather than anti-liberal, alternative to contemporary capitalist states, be it the classical liberal state, the welfare state or the neoliberal competition state (ibid, p. xi).

In the next section this theory of a green democratic state is explored further, in an effort to expand our understanding of what it might take to transform the state into a *green* state. Moreover, the aim is to derive some core characteristics against which to analyse the present Swedish trajectory towards ecological sustainability.

## 2.2 The Green State<sup>8</sup>

### 2.2.1 The strong and the good: an ecological steward and public trustee

Taking green political thinking on the state from within the realm of political ecology as well as green movements as a provisional starting point, Eckersley develops a normative theory of a post-liberal, ecological constitutional democracy, i.e. a *green state*. Considering much of the green criticism of states as systematically supporting, or even promoting, environmental degradation, she rightly concludes the green critique must not be a critique of the state *per se*, but rather of the *illegitimate* exercise of state power (Eckersley, 2004:93). This might be illustrated by the two main pleas that green movements bring forward, namely the requests for the *strong state*, effectively pursuing environmental regulation, and for the “*good*” *state*, responsive and responsible to public interests and to social and environmental justice (ibid, p 11ff).

The first notion of the strong or effective green state steering, rather than rowing, the society and the market towards ecological sustainability implies the adoption of “ecological responsible statehood”, i.e. similar to making ecological rationality a core state imperative. This addresses the role of the green state as an *ecological steward* that effectively pursues ecological sustainability, e.g. through regulatory and fiscal steering mechanisms (ibid).

The second notion of the state as a “good” green state has several implications concerning environmental, social and communicative justice, both as ends in their own respects and as means to sufficiently address ecological rationality. Presuming the role of the state as a *public ecological trustee* addresses key

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<sup>8</sup> This section builds on Eckersley (2004).

functions such as protecting public goods (life-support services, biodiversity, public transport, etc); securing environmental and social justice; and facilitating ecological democracy (see below) (ibid, p 10ff).

Moreover, these notions are intertwined. The second notion is to Eckersley exactly what turns the state's coercive power (e.g. regulation, taxation) into *legitimate* coercive power, in procedural terms (ibid, p 13). However, the green state may also be legitimate in consequential terms to the extent that it purses effective outcomes as well as ecologically rational and morally substantive ends.<sup>9</sup> This implies a transformation of the prevailing legitimation imperative of contemporary (welfare) states.

### 2.2.2 A facilitator of ecological democracy

To Eckersley the green state would also need to meet what she calls the “double challenge” of ecological democracy (p 111) in order to both encourage risk aversion and to avoid unfair displacement of risk (i.e. to comprise ecological integrity and environmental justice). This addresses another role for the “good” green state; the state as a facilitator of ecological democracy. In line with Dobson (2000:118) this might be understood as connecting ecologism and democracy, in much the same way as liberalism and democracy, by comprising green consequentialism and democratic proceduralism. Eckersley formulates this challenge into an ambit claim for ecological democracy based on the principle, that

*all those potentially affected* by a risk should have some meaningful opportunity to participate or *otherwise be represented* in the making of the policies or decisions that generate the risk (Eckersley, 2004:111; emphasis added).

This principle is familiar to deliberative and cosmopolitan ideals of democracy (e.g. Habermas' discursive democracy and Held's cosmopolitan democracy), but are distinctly different in several respects. First, extending the opportunity to participate or *otherwise be represented* to *all* those potentially affected implies a wider *moral constituency*, based on the “postliberal ideal of respect for differently situated others as ends in them selves” rather than the liberal ideal of individual autonomy (p 112). To Eckersley this includes both excluded human and nonhuman others. Second, this requires further a reinterpretation of the conception of *representation* in the democratic process. While Habermas' ideal communication community includes those affected *insofar as* they participate in the discourses, Eckersley extend representation to all affected *as if* they were present, which requires enlarged thinking among those participating in the process (p 116). Third, this also implies a *reconceptualization of the demos* as we know it

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<sup>9</sup> This point is not explicitly addressed by Eckersley, but illustrates the relation between what Scharpf (1997) has termed the input and output dimensions of the legitimacy concept.

to include potentially (and indeterminate) wider communities at risk (p 113). This has far-reaching spatial-temporal implications, e.g. for intergenerational equity and for sovereignty, i.e. the green state as a transnational state<sup>10</sup>. In such respects, Eckersley's ecological democracy ought to be understood "not so much as a democracy *of* the affected but rather as a democracy *for* the affected" (p 112), where the interests of all affected humans (irrespective of class, nationality, etc), future generations and nonhumans are taken into consideration.

For Eckersley (p 115) the best (be it not unproblematic) way to facilitate such an ecological democracy *for* the affected would be through (post-Habermasian) deliberative models for democracy. Deliberative democracy is seen as the best option for achieving *unconstrained dialogue*, *inclusiveness* (enlarged thinking) and *social learning* as means of reflexive learning "especially suited for dealing with complex and variable ecological problems and concerns" (Eckersley, 2004:117). It is exactly this potential for reflexive learning that make deliberative democracy attractive to most green theorists (including Eckersley). Hence, the communicative rationality required to enhance more reflexive (ecological) modernization is synergistic with the communicative ideal of deliberative democracy (cf. Barry, 1999:226ff; cf. Premfors and Roth et al, 2004).

Moreover, green appeals for deliberative democracy are interrelated with the notion – or "metaphor" (Torgersson, 1999:158) – of *green public spheres*. Active and critical green public spheres are to Eckersley and other green theorists (Barry, 1999:226ff; Torgersson, 1999; Dryzek et al, 2003) a key precondition for making societies reflexive enough to ecological problems and environmental justice. As part of a vibrant civil society green public spheres represents "the politicized aspects of civil society" (Dryzek et al, 2003:15) or, as Habermas (1991; ref. in Eckersley, 2004:143 at note 6) has put it, an unconstrained "critical publicity". Such public spheres might be thought of as the "intermediary between civil society and the state" that comprises "those communication networks or social spaces in which public opinion is produced" (Eckersley, 2004:153, 140). Green public spheres could be constituted by, or within, green movements (or other NGOs) (Dryzek et al, 2003:15), but also be thought of as merely open series of green discourses (Torgersson, 1999:20).

To many green thinkers public spheres are primarily ends in their own respects as (self-)critical discourses for social learning. In contrast to this, Eckersley's main concern about (green) public spheres seem to be occupied by their prospects for enhancing state reflexivity and to make the state "more responsive to such critical feedback, acknowledging the crucial role played by civil society actors and public spheres in the processes of problem detection" (Eckersley, 2004:164).

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<sup>10</sup> The term is adopted from Beck (2000:133) to describe states that goes beyond the national level in developing what Eckersley refers to as *inclusive*, rather than exclusive, sovereignty (Eckersley, 2004:197; Eckersley, 2005).

### 2.2.3 Towards reflexive (ecological) modernization

In my understanding, the green state both steers the society towards ecological sustainable outcomes (i.e. ecological rationality) and enables the reflexive processes needed to enhance environmental improvements and environmental justice. In other words, transitions towards the green state imply, or are synonymous with, an orientation towards what has been conceptualized as reflexive (ecological) modernisation.

The discourse of ecological modernisation (Hajer, 1995) has induced the development of more integrated environmental policies. This represents, as Jänicke has described (Jänicke 1988; ref. in Hajer, 1995:34), a shift from the remedial strategies of traditional environmental policy towards anticipatory policy strategies. Challenging the zero-sum relationship that prevailed in the aftermath of the limits-to-growth debate in the 1970s by the core idea of “pollution prevention pays” (Hajer, 1995:26) ecological modernisation offer an efficiency-oriented and technocratic approach (ibid, p 32, 101) to the quest for sustainability. To Hajer the concepts of ecological modernisation and sustainable development are interrelated discourses.

It might, however, be contested whether these concepts should be conflated at all (Langhelle, 2000). The sustainability concept doesn't rest on economic arguments alone, despite the accommodation of economic growth, market-based instruments, technological and administrative change, i.e. the very idea of progress (Meadowcroft, 2000:371). The Brundtland Report (WCED, 1987) was rather preoccupied with “balancing the principles of intra- and intergenerational equity” based on “a future-oriented, human-centered, environmental justice argument” (Eckersley, 2004:74). At the core of sustainable development is the concern with ultimate *ends* ('all human needs'), in contrast to the ecomodernist concept that merely promotes greener growth, eco-efficiency and policy innovations as *means* of integrating economic and ecological concerns. At best, this will decrease the rate of environmental deterioration (ibid, p 71, 76). Critics see this kind of ecological modernisation through technological change as a necessary, but not sufficient condition for sustainability. For example, Christoff (1996:490) has argued that this 'weak', technocratic and instrumental version of ecological modernisation should be contrasted with a 'stronger', more reflexive version of ecological modernisation promoting ecologically sustainable outcomes (see Fig. 1; cf. Eckersley, 2004:75ff). That is, as Langhelle (2000) rightly has pointed out, to transform the ecomodernist concept into something different; namely reflexive ecological modernisation.

**Fig. 1: Weak vs. Strong Ecological Modernisation** (after Christoff, 1996: 490)

<b>Weak EM</b>	<b>Strong EM</b>
Economistic	Ecological
Technological (narrow)	Institutional / Systemic (broad)
Instrumental	Communicative
Technocratic/neo-corporatist (closed)	Deliberative democratic (open)
National (Eurocentric / Westernised)	International (Globalised)
Unitary (hegemonic)	Diversifying

The green quest for reflexive ecological modernisation is informed by Beck's theory on reflexive modernization (Beck, 1994). In an era of ecological risks, the recognition of risks bring about 'self-confrontation' or 'self-endangerment' of modern societies that, potentially, put the very foundations of modernity under question (Beck, 1994; cf. 'risk society' hypothesis in Beck, 1992). This might induce processes of more reflexive modernisation or even a *radicalization* of modernity (ibid). Eckersley's understanding of reflexivity rests on this theorising in a clearly normative sense. Reflexivity might be enhanced to increase our responsiveness to ecological risks through processes of *critical self-reflection*<sup>11</sup> on central problems and common norms. This will foster an orientation towards more reflexive ecological modernisation, i.e. more systemic or structural transformations (Eckersley, 2004:70ff; Christoff, 1996:490ff).

In a recent contribution Meadowcroft (2007) refers to Voß and Kemp (2005) and their distinction between 'first- and second-order reflexivity'. The first-order distinction refers to the unanticipated feedback effects of modernity (cf. Beck's "risk society hypothesis"), while the second-order term refers to the "self-critical and reflective practices that contribute to the conscious re-ordering of social life" (Meadowcroft, 2007:160). Meadowcroft sees the experiments in national strategies for sustainable development as an "emergent mode of reflexive governance". In particular he addresses how the iterative exercises of the strategy process, e.g. feed-back mechanisms, foster reflexivity both on the causes of ecological change (problem recognition) and on the policy and societal responses to these changes (ibid, p 160).

Then, where does this reflexivity take place? To Meadowcroft (2007:161) in a range of contexts "from everyday political debate in the media to parliaments and a variety of co-governance arrangements that are increasingly taking form in developed societies". To Eckersley; in green public spheres, which culminate, however not emanate, in the state complex.

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<sup>11</sup> Hajer (1995:40), building in Beck, refer to such processes as self-reflection on "our perception of reality" and our "institutional practices" (i.e. discursive practices).

## 2.2.4 Implications for domestic institutional reforms

The scope of this thesis is the implications of the green state on sustainability governance, in particular on “the domestic face” of the state, i.e. how would an ecological responsible strategy at the national level, coherent with a trajectory towards a green democratic state, look like? For the case of real-world sustainability institutional reforms (e.g. in Sweden) this directs our attention especially to the political and institutional challenges of the green state’s regulative ideals, in particular the quest for improved reflexivity.

The green state will most likely evolve through evolutions in domestic policy in the most progressive states (most typically in Northern Europe, e.g. the Scandinavian welfare states). To Eckersley even the evolution of the transnational (green) state will be a “*unit-driven transformation from below*” (p 201; emphasis added), which provides a “surer path to a greener world than the development of a more overarching cosmopolitan global democratic law” (as suggested by e.g. Held, 1995). Through processes of policy diffusion, policy innovations, adopted unilaterally or in the context of multilateral agreements, have potential to influence state governance in other nations by the “demonstration effect” or the power of example (ibid).

Then, what are the implications for domestic policy? Eckersley’s accounts for the transformation towards a postliberal green democratic state could be summarized as follows:

*First*, the green state would adopt an ecological rationality, based on ecological sustainability and environmental justice (incl. intra- and intergenerational justice), as its core objective/imperative. While the prescription of any single objective would violate fundamental liberal values (i.e. individual autonomy), the green state would not (as the welfare state) remain within the realm of liberalism, but rather transform into a postliberal state “*steering society along more ecologically sustainable lines*” (Eckersley, 2004:86).<sup>12, 13</sup>

*Second*, the green state would be a democratic state informed by ecological democracy rather than liberal. However, the green democratic state would be a postliberal democratic state, insofar as it builds upon rather than rejects liberal values, i.e. on civil rights (except property rights<sup>14</sup>). This necessitates green constitutional designs, e.g. the entrenchment of the precautionary principle (135ff) and the right to environmental information, participation and contestation (cf. Eckersley, 2004: 243ff), in order to address communicative rationality and enhance reflexivity in democratic processes.

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<sup>12</sup> This implies that the state primarily deploys regulatory and fiscal steering mechanisms (Eckersley, 2004:12).

<sup>13</sup> For a comprehensive political-theoretical analysis of the (in)compatibility between liberal values and sustainable development policies, see Jagers (2002).

<sup>14</sup> On property rights Eckersley is attracted by a trusteeship conception, e.g. Gary Varner’s notion of treating “land as a public resource owned in common and held by individuals in a stewardship (or trust) capacity” (Varner, 1994:143, ref. in Eckersley, 2004:101).

*Third*, the green state would remain a (post)capitalist state, in the sense that it would still be revenue-dependent on the wealth from capital accumulation (ibid, p 83).<sup>15</sup> But, securing private capital accumulation (growth) would no longer be a defining feature. Accordingly, market activity would be disciplined through the steering of economy towards ecologically benign production and consumption, and by redistributing socio-economic welfare and risks reflexively. That is to say, potentially green states act towards increasingly reflexive (ecological) modernization of the (risk) society (cf. Beck, 1994). Similarly, green states would act in concert to reorient the arrangements of global economic order, i.e. economic globalization (Eckersley, 2004:67).

Moreover, and as a disclaimer, the green democratic state would transform into a transnational state addressing inclusive sovereignty. The implication are that potentially green states ought to “produce more outward-looking state governance structures” (Eckersley, 2004:201), which in turn has far-reaching spatial implications for sustainability governance as an “a multi-level endeavour” (Lundqvist, 2004). However, as the ‘transnational face’ of the green state is beyond the scope of this thesis I will rest this point here.<sup>16</sup>

In sum, the above-mentioned implications can be understood as a regulative ideal for the green state comprising the roles of an *ecological steward*, a “public ecological trustee”, and a *facilitator* of ecological democracy, in order to enhance “more reflexive ecological modernization at the domestic level” (Eckersley, 2004:241).

This might be reinterpreted into two questions regarding the transformation process (as our subject clearly represents ‘transition in progress’); first, how to enhance *state reflexivity* or ecological problem-solving capacity?; and, second, how to enhance the *institutional reflexivity* necessary for strengthening the state’s (and society’s) responsiveness to ecological problems and risks? These characteristics – that might be captured in the term *reflexive potential*<sup>17</sup> – will be analysed further in the Swedish case described in the following chapter. Before doing this we might rephrase the initial research question somewhat; how have the prospects for state and institutional reflexivity evolved through the processes of sustainability governance in Sweden, and to what extent are these developments compatible with a trajectory towards the green state? That is, to rethink the reflexive potential of the Swedish model.

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<sup>15</sup> On this point Eckersley is in some sense inconsistent; the green state turns out to be as “indiscriminate growth-dependent” as welfare states once dismissed by exactly that argument. At least social democratic welfare states might very well adopt a similar post-capitalist ideal (be it they are far-from-perfect and on the retreat at present).

<sup>16</sup> See further, e.g. Eckersley (2004), especially Ch. 7; Eckersley (2005) on inclusive sovereignty; and Lundqvist’s (2004) for an inquiry of spatial-temporal dimensions in Swedish ecological governance. For an additional comment on the Swedish case: The Swedish (self-perceived) tradition in foreign policy is to be an active and “good” international citizen, e.g. expressed in strong commitments to multilateral environmental regimes (such as the Kyoto protocol, in particular after the US withdrawal in 2001). Domestically the commitment to sustainable development is clearly outward-looking. But, in this respect the overarching objective for the environmental quality objectives (see next chapter), i.e. to resolve the *major* environmental problems *in Sweden* within the next generation, might seem peculiar.

<sup>17</sup> I borrow this term from Hajer (1995:40).

# 3 Sweden and sustainability governance

## 3.1 Scope of case study

In this chapter the case study of real-world sustainability institutional reforms in Sweden are described. The aim is to analyse the reflexive potential of the Swedish model, in the understanding that was laid out in the last section of the former chapter. That is, to examine the prospects for state and institutional reflexivity in Swedish sustainability governance. The analysis are organised around the following criteria, representing my understanding of the ‘reflexive potential’ in green transformations:

*State reflexivity* (‘ecological stewardship’) might be enhanced through changes at four different levels (after Eckersley, 2004:80, 208) (with examples of indicators in brackets):

- Change in policy instruments (e.g. steering rather than rowing; prospects beyond weak ecological modernisation)
- Change in policy goals (e.g. goals put under scrutiny; iterative processes, reassessments; etc.)
- Change in policy paradigm or the hierarchy of policy goals (e.g. priority to ecologically sustainable ends)
- Changes in the role of the state (ecological rationality as a state core imperative; ecological steward or public trustee).

*Institutional reflexivity* (‘facilitator of ecological democracy’) might be investigated through the following two issues:

- Evolutions in green constitutional and legislative design (e.g. precautionary principle, revised burden of proof, access to fulsome environmental information and environmental justice, etc) – *see section 3.1.2*
- The role of deliberation, civil society and green public spheres (e.g. mechanisms for contestation and participation) – *see section 3.2.3*

Swedish environmental policy has been responsive to the quest for sustainable development and subsequently gone through considerable changes. This has induced, in particular after 1996, a comprehensive set of institutional reforms

relevant to sustainability governance, that both revert and build on earlier achievements (e.g. in environmental taxation). The most enduring, and hence critical, cases of such reforms in Sweden are the introduction of a new set of national Environmental Quality Objectives (EQOs), and the new Environmental Code, both introduced in 1999. There are certainly other critical cases in Swedish environmental policy, e.g. the Local Investment Programme in 1998-2002 (LIP), and its successor the Local Climate Investment Programme (CLIMP), and its relation to the local Agenda 21 processes that prevailed during the first half the 1990s<sup>18</sup>; as well as the strong commitment to renewable energy (i.e. bioenergy) in Swedish energy policy. However, these cases are beyond the scope of this thesis.

## 3.2 Sweden and sustainability – an overview

The concept of sustainable development was early adopted in Sweden. Already in the late 1980s there was an early governmental response to the Brundtland Report<sup>19</sup> and in the 1990 seminal government bill on the Swedish environmental policy (1990/91:90) sustainability was considered a long-term objective for environmental policy. The taxation reform 1990/91 included an ecological reform, e.g. the introduction of the CO<sub>2</sub> tax, informed by these developments (and the premature climate change debate). The centre-liberal-conservative coalition government (1991-1994), in charge of the Swedish preparations for and follow-up of the UNCED in Rio 1992, adopted a comprehensive “eco-cycle” based policy approach (1992/93:180), e.g. operationalised in the so called ‘producer responsibility’ legislation for packaging waste materials.

The Swedish adoption of the sustainability concept (post-Rio) might be divided into two distinct phases (Hildingsson and Andersson, 2006). First, the initial response was characterized by the ‘eco-cycle’ approach and the promotion of local Agenda 21 processes. While legislative efforts was made during this phase (e.g. the Forestry Act, physical planning, carbon taxation, etc), the state was hardly given (or taking) any other crucial role in the implementation than to support and promote the sustainable development concept. Rather the responsibility was delegated downwards to the local level and sideways to market actors (e.g. the “producer responsibility” in waste policy). Secondly, after Mr. Göran Persson became Prime Minister in 1996 the Swedish environmental policy discourse successively started to change under the symbolic of the ‘Greening of the People’s Home’.<sup>20</sup> This was later proven to be the beginning of a distinct shift

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<sup>18</sup> These processes might be understood as representing two distinctly different policy discourses (Hildingsson and Andersson, 2006; cf. Lundqvist, 2004b), irrespective of whether the political ambition was not to alter but to support the local Agenda 21 processes (cf. SOU 1997:105, p 11).

<sup>19</sup> The Environmental Advisory Council (“Miljövårdsberedningen”, Ds. 1989:25).

<sup>20</sup> The symbolic of the ‘People’s Home’ has been a metaphor for the modernisation of Swedish society and economy in the post-world-war era, particularly strong among Social Democrats. This symbolic was co-opted in launching the new environmental policy discourse. For more information cf. e.g. Lundqvist (2004b) as well as

in Swedish environmental policy institutionalized through a range of institutional reforms, of which I will look closer into two; the national Environmental Quality Objectives (EQOs), and the Environmental Code.

### 3.2.1 The national Environmental Quality Objectives (EQOs)

The foremost feature of the Swedish sustainability institutional reform has been the introduction of a comprehensive “management by objectives” process (Lundqvist, 2004:204ff) framed by 16 new national Environmental Quality Objectives (EQOs). In April 1999 the Parliament adopted 15 new national quality objectives for ecological sustainability (Prop. 1997/98:45). These objectives were derived out of assessments of desired environmental quality, resting on definitions of ecologically sustainability (i.e. resilience argument), and are intended to be met within the period of one generation (i.e. around 2020). The latter represents the so-called “generational objective”, posed already in the 1997 Government Declaration; that is, the major ecological problems are to be resolved within one generation.

The generational objective are on ‘top’ of the hierarchy of objectives for sustainability, followed by the 16 national EQOs. The EQOs are formulated in a highly general manner, e.g. “Fresh air”, “Only natural acidification” or “Limited climate impact”, etc. Each objective are then operationalised in a set of 72 interrim targets in total (by 2010). These was first adopted in 2001 (Prop. 2000/01:130) and later revised in 2005 in connection to the adoption of the 16th national objective on biodiversity after the first full reassessment of the environmental quality objectives (Prop. 2004/05:150).

The EQO process is also comprehensive in its institutionalization. Specific roles are addressed for administrative national agencies, that are responsible for sectoral targets (“sektorsmål”), and the Regional Administrations (governmental). The latter are responsible for the preparation and adoption of regional EQOs program, based on consultation with regional stakeholders and local municipalities. Further the Regional Administrations assess and monitor the performance at the regional level (Prop. 2000/01:130, p 16), which is coordinated by the Environmental Objectives Council (EOC) and reported in accordance to a set of key indicators presented at the website [www.miljomal.nu](http://www.miljomal.nu). The Swedish EPA are, through the EOC, responsible for co-ordination, consultation and cooperation in the implementation of the EQOs, including assessments, monitoring and dissemination (see further [www.miljomal.nu](http://www.miljomal.nu)).

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Edman (1998), the foremost ‘green welfarist’ in Sweden who in his pamphlet *The Worlds’ Chance* offer some, however biased, insights in how the new policy was formed (p 245ff).

### 3.2.2 The Environmental Code

In 1999 the Environmental Code (SFS 1998:808) entered into force in Sweden, after nearly a decade of inquiries and legislative preparations.<sup>21</sup> The Environmental Code gathers 16 separate environmental and natural resource management laws under a common legal framework. Although the Code comprise only a few new special rules,<sup>22</sup> it contains some innovations in the legal framework. This has later been accompanied by an amendment of the constitution in 2002 on sustainable development as a general objective for Swedish policy and public administration. However, while the principle was introduced in the first chapter of objectives, and not in the second chapter of rights (Swedish charter of civil rights), the statute entails no enforceable rights beyond the Environmental Code. Hence, the amendment was merely a symbolic act addressing sustainability as a long term objective for environmental policy and law.<sup>23</sup>

The most innovative designs of the Environmental Code are the stipulation of objectives (“målsättningsstadgande”) in the first chapter (preamble) and the general material rules of considerations (“allmänna hänsynsreglerna”) in the second chapter<sup>24</sup>, mandatory for all regulation applicable to the Code. The preamble of the Code (1§ Ch. 1) stipulates the long-term objective of sustainability, environmental conservation and human health protection:

The rules in this Code aim at the promotion of a sustainable development in the meaning that present and future generations are guaranteed a healthy environment (1§ 1 Ch 1; own translation).

The first section only offer general guidance for the rest of the Code. However, in the second section the general objective are operationalised in five sub-objectives (1§ 2 Ch 1), which ought to be understood as an ‘interpretative imperative’ and which should be applied whenever material rules (e.g. in Ch 2) of the Code otherwise do not guide.<sup>25</sup> However, its requisite might be problematic; in

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<sup>21</sup> A first inquiry was appointed already in the early 1990s by the centre-liberal-conservative government, which launched a proposal just in advance of the 1994 parliamentary elections. After the Social Democrats returned to government this proposal was withdrawn and reassessed by a new inquiry, which presented a new proposal in December 1997 (Prop. 1997/98:45) later adopted by the Parliament in 1998.

<sup>22</sup> This has been subject to strong criticism by Swedish judicial doctrine (e.g. Staffan Westerlund, professor in Environmental Law in Uppsala, [www.imir.com](http://www.imir.com)) and Swedish environmental NGOs.

<sup>23</sup> This point may be discussed more thoroughly; I have made an limited attempt in a paper about sustainable development as a new legal principle in Swedish law (Hildingsson, 2006; cf. Bengtsson, 2002:273ff; cf. SOU 2001:19 p 63).

<sup>24</sup> Other innovations includes e.g. the introduction of (EU) environmental quality norms in Swedish law (Ch 5), and the amended rules for EIA processes (Ch 6).

<sup>25</sup> On this point, the Environmental Code and the EQOs are interrelated, at least according to the legislators (Prop. 1997/98:45, p 646; cf. Prop. 2004/05:150, p 376). In practice, however, the Environmental Courts seldom take the EQOs into account; only in 10 (!) cases out of 608, i.e. 1.6 %, according to a recent study (SGU, 2006).

principle it could be ruled out by a material rule of lower status in the rule hierarchy. This addresses the important role of the legislators being aware of intrinsic rule conflicts in their legal operationalisation of the sustainability objective.<sup>26</sup> In practice, this problematique is of minor importance, as legal investigations typically implies interpretative judgements. But, since these kind of interpretative imperatives are novel in Swedish law, it has been challenging to the judiciary interpreting preexisting rules in the light of a new norm.

The second chapter entails a set of material rules, e.g. the precautionary principle (3 § Ch 2) and a revised burden of proof principle (1 § Ch 2), e.g. stipulating that it is in the responsibility of the exploiter to undertake e.g. necessary precautionary measures and prove how this guarantees no harmful consequences.

Another innovation, of particular interest here, is the extended rule about the right of speech (“talerätten”; 12§ Ch 16). Environmental NGOs have been given legal standing in Swedish environmental judiciary – as a surrogate ‘advocate’ for the ecological interest and non-human others – at least to some extent.<sup>27</sup> Although the right of speech rules are being somewhat circumscribed, they have given a public (as distinct from private individual) interest access to environmental judiciary. This has turned the Environmental Courts into new arenas for the environmental movement to address ecological concerns and to protest against exploitation projects.

In this regard, the Swedish legislation and the legislative reform entail prospects for increased reflexivity, both in offering a new regulative ideal and some key principles *potentially* facilitating ecological democracy and enhancing institutional reflexivity. However, a remaining challenge is to make the judiciary adopt to this new regulative ideal of sustainability as an overarching objective. In practice, and contrary to the ambitions of the legislators, the judiciary are still left in the liberal conception of trials as negotiations between conflicting interests (cf. Westerlund, 2003).

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<sup>26</sup> On legal operationalization of sustainability; see in particular Westerlund, 2003 and 2004.

<sup>27</sup> This may be considered an inclusive interpretation of the Aarhus Convention, Art. 2.5. However, the right of speech are, besides individuals with own causes (neighbours), restricted to *environmental* NGOs in operation since more than 3 years and with more than 3.000 members.

### 3.3 Prospects for a green(er) state in Sweden

#### 3.3.1 Simply an ecomodernist strategy?

The new Swedish environmental policy seem to have been strongly informed by the discourse of ‘weak’ ecological modernisation, or at least co-opted much of its language. The interpellation of this discourse was made through a couple of speeches in 1996 by the, at that time, new Prime Minister Persson. This discourse was later structured and institutionalized through the LIP reform in particular (Lundqvist, 2004b; cf. Hajer, 1995). However, to state the Swedish model as merely a competitive (Eckersley, 2004), economistic (Christoff, 1996) or technocratic (Hajer, 1995) strategy would be misleading. The Swedish approach has been more comprehensive and integrative than the limited (yet anticipatory) scope of “simple” ecological modernisation. The need for comprehensive integration of environmental concerns over all societal sectors was expressed already in the environmental policy bill *A healthy living environment* in 1990 (Prop. 1990/91:90; cf. Ds. 1989:25). This approach was followed by a range of more or less integrated initiatives (e.g. the carbon tax, forestry act, eco-cycle approach, local Agenda 21), gathered in a more comprehensive framework of the Sustainability strategy in the late 1990s.

This view is supported by Lundqvist, who find strong evidence indicating that Sweden has proceeded beyond ecological modernisation, e.g. in that spatial, temporal and social justice aspects are well integrated in the Swedish strategy (2004a:210). While entailing typically ecomodernist policy strategies for technological change, reforms such as the EQOs, the Environmental Code and on biodiversity (e.g. the venture for conservation of natural forests in late 1990s) indicates a preoccupation with ecological concerns and values that go beyond merely economistic approaches to environmental policy.

This is further illustrated by recapitulating Fig. 1 (p 11) and comparing the Swedish case with conceptions of weak and strong ecological modernization:

<b>Weak EM</b>	<b>Strong EM</b>	<b>Sweden</b>
Economistic	Ecological	Ecological & Economic welfare
Technological	Institutional / Systemic	Institutional
Instrumental	Communicative	Participatory (?)
Technocratic/neo-corporatist (closed)	Deliberative democratic (open)	Negotiated governance (semi-open)
National (Westernised)	International (Globalised)	Outward-looking
Unitary (hegemonic)	Diversifying	Unitary

To conclude, while the Swedish strategy has co-opted ecomodernist policy strategies (for technological and instrumental change), the broader approach applied indicates a policy trajectory that goes well beyond simple ecomodernist, or “cosmetic” strategies (Meadowcroft, 2007:156ff). The Swedish strategy is clearly preoccupied with promotion of ecologically sustainable ends, rather than merely managing ecological problems. That is, with regard to changes in policy instruments (the first criterion for state reflexivity) Sweden proves a case for more reflexive ecological modernization. It is, however, another issue whether the institutional capacity for implementation has yet improved enough.

### 3.3.2 Reflexivity in state governance

In relation to the second criterion, the EQO process are critical and seem to be in favour of more reflexive governance. The structures and organization of EQOs has put a comprehensive governance system in force for managing, assessing *and* resolving major environmental ecological problems. The iterative exercises are strong through the support of a comprehensive system for monitoring (set of indicators), reporting (the annual de Facto reports, e.g. EOC, 2007), dissemination (e.g. [www.miljomal.nu](http://www.miljomal.nu)) and reassessment. The third Government Bill in 2005 entailed a full reassessment of the EQOs, resulting in the adoption of a set of new interim targets and a new national EQO on biodiversity.<sup>28</sup> However, the EQOs are by and large an administrative ‘management by objectives’ product. This is seemingly balanced by the commitment to improve stakeholder participation in the implementation through processes of consultation. All this implies that reflexive governance in Sweden has been considerably strengthened by the EQO reform.

The environmental policy discourse (or paradigm) in Sweden has certainly changed (the third criterion). Through the more or less entire reorientation of the Swedish hierarchy of environmental policy goals and objectives, of which both the EQO reform and the objectives in the Environmental Code are centrepieces, seem to have given higher priority for (ecological) sustainability concerns. Both the attention and commitment to environmental concerns has risen at the national (state) level. This has in turn raised the credibility of environmental policy, and potentially also output-legitimacy in relation to substantial achievements. Yet, in relation to other core objectives of the state, ecological sustainability still stand short against economic (growth) and legitimation (jobs, welfare system) imperatives. But, insofar as the legitimacy for environmental policy is retained, one might expect the potential for even more radical policies to gain priority.<sup>29</sup>

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<sup>28</sup> Biodiversity was initially thought as a concern integrated within several other national EQOs, but was made explicit through the adoption of the 16th EQO (Prop. 2004/05:150).

<sup>29</sup> The Oil Dependency Commission (2006), that put Swedish oil consumption under scrutiny, might be understood in this way. The commission investigated the potential for implementing a vision to halt Swedish oil consumption by 2050, expressed by the former Prime Minister and his successor (Mrs. Sahlin) in 2005. This vision might make even radical green proposals to seem bleak.

These changes might successively also transform the very role of the state (the fourth criterion). One might even state that such a transformation are already on its way. The increasingly stronger commitment to ecological sustainability and its ensuing institutionalisation, through e.g. the EQOs and the Environmental Code, indicates this. The Swedish state are already addressing the role of an ‘ecological steward’, *alongside* its other roles (e.g. facilitate economic growth; providing welfare; collecting revenues), insofar as it steers the society towards sustainable outcomes and seeks to protect public goods (e.g. biodiversity).

To conclude, the cases analysed here suggest that state reflexivity have been enhanced through the institutional reforms for sustainability. The Swedish state are increasingly addressing the role of an ‘ecological steward’ and seem to have prospects for pursuing stronger, more reflexive ecological modernization further.

### 3.3.3 Deliberation, civil society and green public spheres

The Swedish Democracy Inquiry (Dir. 1997:101) concluded, after a long serie of analyses of the state of the art of Swedish democracy, that Sweden ought to be described as an “participatory democracy with deliberative qualities” (SOU 2000:1, p 23; own translation). Well, it might be contested if this is a completely accurate definition or whether even the members of the inquiry themselves agreed (cf. Premfors and Roth, 2004:7). A perhaps more appropriate description might have been; a ‘representative democracy with participatory qualities’ (one is tempted to say ‘corporatist qualities’).

The quest for sustainability has been associated with such ambitions on stakeholder participation. The local Agenda 21 processes in Sweden, especially vibrant before 1998, entailed a range of experiments under the headings of local democracy, but it might be questioned whether these were explicitly informed by green appeals for deliberative democracy. Rather the Swedish approach represent the ‘stakeholder participation’ discourse of (reformist) civic environmentalism (Bäckstrand and Lövbrand, 2006:55f). In particular, the Swedish experience seems not to have entailed much of public deliberation on the levels of problem perception or policy design, but rather in policy implementation. That seems, in the words of Hedrén (2005:30), “not politics, and certainly not democracy”.

To Lundqvist (2004, e.g. p 217) the Swedish model represents a form of “negotiated ecological governance”, i.e. a corporatist approach. It “seem to follow the maxim of minimum coercion and maximum consent”, typical for representative liberal democracies, in that ”the dominant form for ecological governance is co-operation with organised interests *and* persuasion of the general public” (ibid). Such an approach is associated with two particular problems.

First, the consensus-seeking political culture runs the risk of “watering down” (ibid, p 192) proposals in order to reach compromise among stakeholders. An illustrative example concerns the Climate Committé (SOU 2000:23); due to severe disputes and conflicts they ended up with a proposal for an information campaign (!) in contrast to their own conclusions of carbon taxation being the single most effective mitigation measure. However, that case turned out well. The

government responded to criticism (sic!) and amended the proposed interrim target from -2% to -4% (Prop. 2001/02:55). Yet, it illustrates how the logics of compromise may end up in least-common-denominator outputs.

Consensus-seeking is often an objective of policy deliberations, and might even be a legitimate outcome. Eckersley (2004:166ff) suggests criteria according to which pragmatic consensus-seeking (compromises or even incremental change) are acceptable, but only in cases of “intractable moral disagreement”. In situations of conflicting material interests – e.g. public (green) vs. private (economic) interests – pragmatic problem-solving approaches “runs the risk of being too accommodating and therefore not critical enough” (ibid). In such cases deliberations ought to strive for social learning among the deliberators in order to reach consensus (or decision) on the best argument, derived out of critical assessments (e.g. environmental due processes). If that is not feasible, the dominated interest (e.g. of the community at risk) ought to be favored over the dominating. Signs of any similar communicative ideal are yet to be seen in Sweden as in most contemporary liberal democracies. Policy deliberation are rather applied to extract policy-relevant knowledge, negotiate political compromises and build coalitions for policy implementation (cf. Lundqvist, 1997:61; cf. Lundqvist, 2004b). In this regard deliberations in Swedish policy-making are hardly deliberative, rather participatory, mechanisms informed by liberal accounts of preference aggregation through confrontation and compromise.

Secondly, the Swedish corporatist approach tend to restrict participation in the policy-making process to some “highly organized interests” using the right “technocratic language”; these are the only that might gain real influence, while the general public or action groups promoting broad societal and value changes are more or less neglected (Lundqvist, 2004:217). In this respect, Swedish sustainability governance is only *semi-open*, and essentially at odds with the ideal of ecological democracy. On the one hand, Sweden has a tradition of special investigative commissions and inquiries as well as a well developed process for public considerations (“remissväsendet”). These kind of *ad hoc* commissions, comprising organized interest groups, political parties and public administration, are also applied in environmental policy for deliberation, preparations and pre-legislative investigations on particular problems, policies or strategies. In this context the Swedish Environmental Advisory Council (“Miljövårdsberedningen”), formed already in 1968, has had a particular role as an institution for policy advisory.<sup>30</sup> After Rio the stakeholder participation in these commissions has been somewhat opened for some new NGO, business and local representatives. On the other hand, a striking feature in Sweden is the absence of truly radical green perspectives in these kind of deliberations or in the public debate (with the exemption of Green Party representatives).

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<sup>30</sup> The Environmental Advisory Council has been a stable institution in Swedish environmental policy, at least until it was remodelled in 2007 by the new centre-liberal-conservative government in order to comprise the Scientific Council on Climate Issues and the new Climate Committé (M 2007:03).

Yet, such foras do not fulfil the communicative ideal of the *public sphere*, in the understanding of an *unconstrained* discourse for critical publicity and public opinion formation. Such public spheres are generally rare in Sweden.<sup>31</sup> While the degree of involvement in civil associations and organisations are high (52%; SOU 2000:1, p 213), the political activity of civil society typically takes place within such organized interest groups. This is at odds with green accounts that seem to “wish away the existence in advanced societies of strong socio-economic and other interest organisations” (Lundqvist, 2004a:217).

On the other hand; Swedish environmental law – accompanied by the long standing Swedish tradition of free access to public information – entail such constitutional/legislative mechanisms, at least to some extent, that is crucial to facilitate ‘robust’ public spheres. A tentative implication of this is that the public sphere ‘metaphor’ might need to be reinterpreted in corporatist, semi-open contexts like the Swedish, and in particular if the state already addresses a considerably reflexive role. That is, the seemingly limited scope for unconstrained public discourse in Sweden might better be understood as constituted in semi-constrained, semi-open spheres within (e.g. specific campaigns, working groups, etc) and among (e.g. networks) highly organized interest groups, e.g. within the environmental movement. The Green Party is another illustrative example; while emanating out of the unconstrained anti-nuclear movement, most radical greens (going public) are today incorporated in a highly consolidated political organization, within which much of the Swedish radical green discourse prevails.

In addition, there is also an interesting case to make about how civil society activity has transformed into influencing the environmental performance of market actors through processes of green consumerism, e.g. ecolabelling, domestic energy, environmentally more friendly passenger cars, etc. However, this is out of the scope of the definition of the green public sphere (where we act as communicative individuals and citizens, rather than consumers), why I rest this issue, and this case study, here.

To conclude, the Swedish model for (ecological) democratic governance are rather corporatist and semi-open, and seem to be more occupied with *dialogue* than *deliberation*. The emphasis on greater stakeholder participation in the policy-making process and the evolutions in green constitutional designs indicates, at least *potentially*, prospects for enhanced institutional reflexivity, but not in such unconstrained ways that is presumed in green theory.

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<sup>31</sup> The last major green public sphere was the anti-nuclear movement around 1980, which among other things gave birth to the Green Party.

## 4 Conclusions: A green welfare state?

To sum up, this study suggest that the ‘reflexive potential’ of Swedish sustainability governance has moved well beyond simple (or weak) ecological modernization, in that the Swedish welfare state seem capable of

- pursuing reflexive (ecological) governance and
- acting as an ecological steward, that
- pursues stronger ecological modernization towards
- enduring ecologically sustainable outcomes.

In facilitating this, the Swedish state

- seems able, and willing, to expand participation and
- increasingly allow access to environmental justice (i.e. opening up governance), ...
- ...but are (yet) reluctant in facilitating a green ecological democracy informed by the communicative ideal of discursive democracy.

This direct our attention towards the issue implicitly expressed throughout this inquiry; could the welfare state become the green state? The answer is: No, not yet, at least not in the sense that green states are presumed to be committed to individualistic or pluralistic conceptions of deliberative democracy. However, if we rephrase the question a bit the answer becomes more tricky; could the welfare state enhance its reflexivity enough to meet enduring sustainable futures, without necessarily adopt to such green democratic ideals? That’s a more contingent one.

To conclude, this leads to a new hypothesis (to be further elaborated): That is, a welfare state ‘going ecological’, as distinct from ‘going green’, I would not dismiss as a ‘weak’ ecomodernist state. Rather, in the sense the welfare state is committed to enduring ecological sustainable outcomes, i.e. pursuing ecological rationality (alongside other concerns), I would call it a *green welfare state*; be it the trajectory forward might not be reflexive modernization in its green democratic sense but in its reflexive ecological governance sense. Hence, the hope to the quest for sustainability may lie neither in (weak) ecological modernisation nor in waiting for the ecological Enlightenment to come to ensure ecological freedom for all, but – simply – in “good” governance.

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