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WORKING PAPER

Assessing legitimacy and effectiveness in a fragmented global climate and energy governance landscape

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CLIMENGO WORKING PAPER SERIES • NO 1 • MAY 2017

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Abstract

The significance of international institutions in the contemporary international order invites a critical assessment of their performance in terms of legitimacy and effectiveness. Why do some international institutions appear to be more legitimate or effective? This question has implications both for the theory and practice of international cooperation. Yet, systematic empirical comparative studies have been scarce and previous literature has suffered from a lack of conceptual and methodological tools to assess legitimacy and effectiveness amongst international institutions. The aim of this paper is to offer a conceptual framework to explore questions of legitimacy and effectiveness of individual international institutions in the fragmented global climate and energy landscape. The paper contributes to the literature on international cooperation by examining conceptual and methodological issues for assessing legitimacy and effectiveness amongst international institutions. The paper's dynamic research framework argues for the need to unpack these concepts in a changing context to better understand what they mean to key stakeholders. The paper outlines a research agenda in order to gain traction on these critical questions in the field of global climate and energy governance. The study thereby provides us with analytical tools to assess legitimacy and effectiveness and has relevance for understanding broader aspects of the operations of international institutions.

Keywords: Legitimacy; effectiveness; climate and energy governance, international institutions

Introduction

How can international institutions and initiatives contribute to setting the world on a path to meet the goals of the Paris Agreement on climate change? The International Relations literature has shown that international institutions matter and that they can make a positive contribution to solving international problems (Young 2011; Miles et al 2002). Less is known, however, about the institutional design aspects of international institutions and how these are related to issues of legitimacy and effectiveness of individual institutions. These questions are of particular interest in an era where the fragmentation of global governance institutions means that there is competition between institutions over members and resources (Andresen and Hey 2005; Karlsson-Vinkhuyzen and McGee 2013). Much of global governance today is

characterized by a patchwork of overlapping international institutions with varying forms and functions and the involvement of many types of actors (Biermann et al 2009). What this means for issues of legitimacy and effectiveness of global governance institutions remains a pertinent question.

The significance of international institutions in the contemporary international order invites a critical assessment of their performance in terms of legitimacy and effectiveness. Why are some international institutions considered to be more legitimate or effective? This question has implications both for the theory and practice of international cooperation. Yet, systematic empirical comparative studies have been scarce and previous literature has suffered from a lack of conceptual and methodological tools to assess legitimacy and effectiveness amongst international institutions (Karlsson-Vinkhuyzen and McGee 2013).

The aim of this paper is to offer a conceptual framework to explore questions of legitimacy and effectiveness of individual international institutions in the fragmented global climate and energy landscape. It is widely agreed that addressing climate change requires the transformation of energy systems (Dubash 2016; Zelli et al 2013). Diverging interests, however, means that there is little agreement on the solutions to this challenge. The climate-energy nexus lies at the intersection of global climate and energy governance and is shaped not only by environmental, but also by economic and social concerns, such as questions of energy security and energy poverty (Van de Graaf and Colgan 2016). This has given rise to a proliferation of international institutions and initiatives in recent years that address different aspects of the climate-energy nexus, such as those focusing on renewable energy, energy efficiency, carbon markets, or fossil-fuel subsidy reform. While the contours of this complex and fragmented climate and energy governance order have already been mapped (Cherp et al 2011; Colgan et al 2012; Zelli et al 2013), systematic comparative studies of effectiveness and legitimacy in this new governance landscape is lacking. The aim of this paper is therefore to offer a conceptual framework for studying these questions.

Building on previous literature, this paper examines conceptual and methodological considerations for assessing issues of legitimacy and effectiveness and illustrates this with examples from international institutions and initiatives that work in the intersection of climate and energy governance. The paper examines the concepts of legitimacy and effectiveness in some detail and discusses possible synergies and trade-offs. The paper further makes a distinction between normative and sociological approaches to studying these questions and argues that the sociological approach offers insights that can unpack legitimacy and effectiveness in a fragmented global order. In short, the paper illustrates how the

sociological approach can advance a deeper understanding of the underlying drivers of legitimacy and effectiveness amongst international institutions.

The paper proceeds as follows. The next section reviews the literature on legitimacy and effectiveness and explores how these can be conceptualised. Next the paper discusses the link between legitimacy and effectiveness and potential trade-offs. The paper then draws up indicators for a normative framework and discusses methodological issues involved in exploring issues of legitimacy and effectiveness among global governance institutions that work at the intersection of climate and energy governance. It then discusses the fragmented global climate and energy landscape and proceeds to outline a proposed research agenda that departs from the normative framework but uses the sociological approach for assessing legitimacy and effectiveness in global climate and energy governance. The paper then concludes with a discussion of how the proposed research agenda provides us with analytical tools to understand broader aspects of the operations of international institutions.

Conceptualizing legitimacy and effectiveness

Legitimacy and effectiveness are interlinked concepts, but are often treated separately in the literature. For instance, there have been a range of studies on the legitimacy of governance institutions beyond the nation-state, such as regional organizations or multi-stakeholder initiatives (Bernstein and Cashore 2007; Banchoff and Smith 2005; Moravcsik 2002). Other studies have focused on the effectiveness of regimes and public institutions (Heinrich 2012; Breitmeier et al 2011; Young 2011; Miles et al 2002). While the link between legitimacy and effectiveness and possible trade-offs are often acknowledged (Bernstein 2011; Zürn 2000), there are few studies that comprehensively seek to understand both of these aspects of organizational performance through empirical studies. By examining these concepts together, however, we can obtain new insights into the drivers of legitimacy and effectiveness and how they link to institutional design.

The concept of legitimacy has been discussed extensively in previous literature (Keohane 2011; Buchanan and Keohane 2006; Bernstein 2005; Hurd 1999; Suchman 1995). Broadly it refers to “the acceptance and justification of shared rule by a community” (Bernstein 2005: 142). A legitimate institution thus rules with authority as it has obtained support for its operation. Legitimacy is important for global governance, as the alternative tools for generating compliance with shared rules in the international system – inducement or coercion – “are often unavailable, in short supply, or costly to use” (Bernstein 2011: 20). Global governance

institutions that seek to exercise legitimate power must thus gain acceptability and credibility amongst the communities that they seek to govern.

How, then, can institutions strive to gain this acceptability and credibility? In the words of Black (2008: 144), there are three main bases for legitimacy – pragmatic, moral or cognitive:

“Legitimacy may be pragmatically based: the person or social group perceives that the organization will pursue their interests directly or indirectly. It can be morally based: the person or social group perceives the goals and/or procedures of the organization to be morally appropriate. Finally, legitimacy can be cognitively based: the organization is accepted as necessary or inevitable.”

This implies that an institution can seek to justify its operations based, for example, on it pursuing goals that are welfare-enhancing and/or embracing practices that are considered just. The community that it seeks to govern must equally recognize these claims and perceive the institution as “desirable, proper, or appropriate within some socially constructed system of norms, values, beliefs, and definitions” (Suchman 1995: 574). This means that legitimacy is a dynamic concept that varies across contexts and is dependent on actors’ perceptions of appropriate institutions.

Legitimacy can therefore be studied through different approaches. Two common approaches are normative and sociological legitimacy. While the former examines whether the authority performs according to some pre-defined standards, the latter is concerned with whether the authority is perceived as having the right to rule amongst those it seeks to govern (Buchanan and Keohane 2006). These different approaches to legitimacy highlight that evaluations of legitimacy may diverge depending on whether the focus of the study is to examine justifications of operations or the acceptability of those claims to a given constituency.

As with legitimacy, the concept of effectiveness is equally elusive. Generally speaking, effectiveness can be conceptualised as the level of goal attainment by an institution (Bernauer 1995). In the fields of International Relations and Comparative Politics, effectiveness is typically operationalized as the output, outcome, or impact of institutions (Tallberg et al 2016; Underdal 2002). Whereas output is a process-based measure that looks at the narrow functions of an institution, and outcome examines the political impacts or behavioural change resulting from the operations of the institution, impact is an outcome-based measure that looks at issues of problem resolution and the extent to which the institution has contributed to welfare enhancement (Gutner and Thompson 2010). Since output focuses on the performance of an

institution, it is the most observable of the three and does not have to consider issues of causation. This may make it the preferred operationalization from a methodological viewpoint, but it only captures potential effectiveness as it does not consider the consequences of the output. Impact, conversely, is difficult to measure, but captures how well the institution changes target indicators and is in a better position to answer questions concerning whether and how the institution is able to solve the problems that it has been designed to tackle (Underdal 2002). An analysis of an institutions' impact is particularly difficult in a fragmented global governance landscape as there is much interdependence between various institutions.

The choice of whether effectiveness as goal attainment should be measured in terms of process or outcome-based measures partly depends on the purpose of the investigation and data availability. The focus on the output of institutions will provide a more detailed, albeit narrow, analysis of the institution compared to an analysis of the institutions' wider role in world politics (Gutner and Thompson 2010). Ideally, an investigation into all three measures of effectiveness provides a fuller picture of the performance of the institution. An analysis of how outputs link to outcome and impact would provide valuable insights into the actual effectiveness of the institution.

Another complicating factor in assessing effectiveness is that international institutions typically have several, and sometimes conflicting, goals (for example there exist tensions between alleviating energy poverty and promoting sustainable energy). Therefore, similarly to sociological legitimacy where legitimacy demands may vary between actors, evaluations of effectiveness may vary amongst constituencies depending on which goal-fulfilment is favoured. This is what Gutner and Thompson (2010) refer to as the "eye of the beholder" problem, as effectiveness may be assessed differently by members of an institution and outside stakeholders, but sometimes also between members if interests diverge.

In sum, both legitimacy and effectiveness are multidimensional concepts, the assessments of which include the investigation of several aspects using different methods. Before offering a conceptual framework for assessing legitimacy and effectiveness, the next section will explore the links and trade-offs between legitimacy and effectiveness.

Links and trade-offs between legitimacy and effectiveness

What is the relationship between legitimacy and effectiveness? Does legitimacy enhance effectiveness or vice versa, or can there be trade-offs between the two? Various answers to these questions can be found in previous literature. On a fundamental level, institutions need to be both legitimate and effective to function well in the long term (Andresen and Hey 2005).

Effectiveness may contribute to an institution being perceived as legitimate (Bodansky 1999) and legitimate institutions are more likely to be effective as they are more likely to attract resources and induce compliance (Brunnée and Toope 2003).

Others, however, downplay the role of legitimacy in contributing to effectiveness at the international level. This is based on the argument that “international institutions are too removed from individual citizens, lack transparency in their decision making, and are not subject to accountability mechanisms” (Gutner and Thompson 2010: 228), meaning that the main source of legitimacy for global governance institutions is likely to be performance (Scharpf 1999). In a recent study, Dellmuth and Tallberg (2015) find support for the proposition that the social legitimacy of an international organization like the UN is anchored primarily in the organization’s capacity to generate benefits.

This discussion is linked to larger debates about the role of normative factors in world politics and the relative impact of the logic of consequences versus the logic of appropriateness (Young 2011; March and Olsen 1998). A key task for research is to examine under what conditions legitimacy is likely to affect effectiveness, as this may have important implications for institutional design. This includes exploring possible trade-offs, such as that of legitimacy by mean of participation and effectiveness. On the one hand, there may be a synergetic relationship between increasing legitimacy by including a wide set of stakeholders and effectiveness because participatory approaches may create a sense of ownership that is likely to lead to better norm compliance and more efficient implementation (Beisheim and Dingwerth 2008; Zürn 2004). On the other hand, this positive relationship between legitimacy and effectiveness may not hold up if this participation leads to significant transaction costs, difficulties in reaching agreement or slow-down in decision-making, sub-optimal compromises, or the diffusion of accountability (Hogl et al 2012; Beisheim and Dingwerth 2008; Benz 2007; Risse 2004; Scharpf 1999).

Legitimacy and effectiveness are thus distinct but linked concepts and the relationship between the two is likely to be context-dependent. With these observations in mind, the next section outlines a conceptual framework for assessing legitimacy and effectiveness amongst international institutions.

A conceptual framework for assessing legitimacy and effectiveness

In building a conceptual framework for assessing legitimacy and effectiveness amongst international institutions, there is a rich body of literature to draw upon. While there have been numerous previous studies that have focused on the normative approach (e.g. Karlsson-

Vinkhuyzen 2015; Karlsson-Vinkhuyzen and Vihma 2009; Mena and Palazzo 2012), there are few studies that employ the sociological approach to empirically study legitimacy and effectiveness amongst global governance institutions. This paper argues that we can advance understanding of these pertinent issues if we depart from a normative framework but use the sociological approach for assessing legitimacy and effectiveness amongst international institutions. Specifically, the paper illustrates why we need to go beyond the insights gained from normative approaches to also examine common understandings of what makes an institution legitimate and/or effective and how these understandings diverge amongst key groups of stakeholders.

The sociological approach draws our attention towards the substance of governance and what practices and goals are shared amongst a community of actors, thereby providing insights into how political authority works in a fragmented governance order. To achieve their objectives, global governance institutions need to be both legitimate and effective and must gain acceptability and credibility amongst the communities that they seek to govern. It is therefore important to empirically study the views of those actors that global governance institutions seek to govern. Rather than performing an audit of the institutions to understand how they operate according to normative standards, the sociological approach allows us to understand why legitimacy and effectiveness demands may vary between key constituencies. The sociological approach is thus particularly useful for exploring how various stakeholders share different understandings of what makes an institution legitimate and/or effective (Nasiritousi et al 2015). It highlights an aspect of legitimacy and effectiveness that has been largely absent in the literature – namely how key stakeholders value these concepts.

Thus while the normative approach departs from theoretically-informed claims of what constitutes legitimate and effective institutions, the sociological approach unpacks these claims to uncover what legitimacy and effectiveness mean to different stakeholders. The research agenda presented in this paper departs from a normative framework to derive a set of questions that can then be studied using the sociological approach.

In the remainder of this paper, the normative framework will be developed and methodological issues will be discussed in relation to global governance institutions that work at the intersection of climate and energy governance. A few examples from this field will be used to illustrate the usefulness of this framework in enabling more comparative empirical studies for assessing legitimacy and effectiveness amongst international institutions – something that has thus far been in short supply (Karlsson-Vinkhuyzen and McGee 2013).

A normative framework for assessing input and output legitimacy of international institutions

One way of bridging the two concepts of legitimacy and effectiveness is to examine these in relation to input and output legitimacy. While input legitimacy refers to the design of political processes, i.e. governance *by* the people, output legitimacy concerns problem-solving capacity, i.e. governance *for* the people (Scharpf 1999). By exploring the different dimensions of input and output legitimacy and its sub-components, it is possible to derive theoretically-informed criteria for assessing legitimacy and effectiveness anchored in a normative framework.

A normative framework for assessing input and output legitimacy of international institutions must encompass several components and be “grounded in normative theories that reflect prevailing sociological standards in society” (Karlsson-Vinkhuyzen and McGee 2013: 58). The normative framework presented in Table 1 builds on the works of Bodansky (1999), Karlsson-Vinkhuyzen and Vihma (2009) and Mena and Palazzo (2012). The framework includes two dimensions of input legitimacy (source-based and process-based) as well as two dimensions of output legitimacy (substantial and distributive). These dimensions capture different aspects of legitimacy and can be narrowed down into sub-components: while source-based legitimacy concerns the essence of the institution, i.e. its source of authority, process-based legitimacy captures the procedures of the institution, i.e. degree of inclusion, procedural fairness, transparency and accountability. Similarly, while substantial legitimacy refers to effectiveness in terms of output, impact and outcome, distributive legitimacy concerns the equity aspects of the performance of the institution. These different sub-components are elaborated on below in order to enable more detailed analysis of the normative legitimacy of international institutions.

Source-based legitimacy refers to how authority is gained by an institution not by how it operates but by how it is in itself. Three common forms of source-based legitimacy are expertise, tradition and discourse (Karlsson-Vinkhuyzen and McGee 2013). Particularly in environmental governance, institutions can gain credibility by highlighting their *expertise* in terms of scientific or technical knowledge (Karlsson-Vinkhuyzen and McGee 2013). *Tradition* is linked to cognitive legitimacy in that an institution that has a long history of addressing problems could be perceived as being necessary and inevitable. This type of legitimacy, once established, is considered to be the most enduring type of legitimacy as it results in a “taken-for-grantedness” that may hinder or undermine the establishment of alternative institutions (Suchman 1995: 583). The *discourses* associated with a particular institution could also be a source of authority if it reflects discourses that are valued based on for example normative principles (such as human rights) (Karlsson-Vinkhuyzen and McGee 2013).

Process-based legitimacy refers to the design of procedural rules that affect the decision-making of the institution. For this dimension of legitimacy, different democratic theories stipulate what makes a process legitimate from a normative standpoint (Bodansky 1999). Key democratic principles from the domestic level that have been applied to the international level are inclusion, procedural fairness, transparency and accountability (Karlsson-Vinkhuyzen and Vihma 2009). *Inclusion* refers to how open the institution is in terms of membership. While some international institutions have (near) universal membership, other minilateral institutions have strict criteria for who can join as a member. From a normative standpoint, the higher the degree of participation is, the more legitimate is the political process as more affected voices can be heard (Young 2000; Habermas 1998). For some political theorists this principle also assumes that a wide set of non-state actors be included as observers so as to improve the quality of deliberations (Nanz and Steffek 2004; Scholte 2011). However, the participation of non-state actors in international affairs raises a set of legitimacy questions of their own as these actors often lack clear-cut constituencies and democratic credentials (Nasiritousi 2016; Bexell et al 2010). This is thus an example of how normative legitimacy may differ from sociological legitimacy as perceptions of legitimacy may diverge depending on whom one asks.

The second component of process-based legitimacy derives from theories of procedural justice that emphasise the principle of *procedural fairness* in decision-making. According to this principle, having a seat at the table is not enough; there must also be opportunities to be heard and be treated fairly so as to have a sense of ownership of the decisions made (Raines 2003). International institutions that have consensus rules rather than majority voting could consequently be considered more legitimate as it enables more members to have their core demands met.

The two other components of process-based legitimacy – transparency and accountability – are considered key principles of democratic states and can also be applied to the international level. *Transparency* refers to the degree of access to information that the institution provides to members and other stakeholders. The availability of key documents and the disclosure of other relevant information, for example through the institution's website, indicate to what extent information is shared to enable effective decision-making and implementation (Mitchell 1998). *Accountability* means that actors can be held to account for the decisions that they make and for the ways in which they implement those decisions. The chain of accountability in democratic states is shorter and more direct than within international institutions as electorates can hold their government to account for decisions made at the domestic level but may find it more difficult for decisions made at the international level

(Scholte 2011). Nevertheless, some institutions have implemented accountability mechanisms such as inspection panels (i.e. the World Bank) and others provide space for civil society actors to bring up accountability concerns in an effort to hold international institutions to account (Woods 2001).

The difficulties in ensuring input legitimacy at the international level has given rise to arguments about the need to focus on output legitimacy as a way to compensate for weaknesses in input legitimacy amongst international institutions (Scharpf 1999). Looking at the output side of legitimacy, the sub-components of **substantial legitimacy** are the three operationalisations of effectiveness as discussed earlier, namely output, outcome and impact. *Output* concerns performance in terms of what the international institution produces, for example issuing regulations (these can be binding or non-binding), producing reports, conducting research, organizing meetings, providing funding, providing training etc. (Szulecki et al 2011). *Outcome* relates to whether the institution produces behavioural changes, for example in terms of whether the institution increases the level of cooperation and compliance amongst members for instance by improving learning and modifying incentives (Gutner and Thompson 2010; Underdal 2002). To determine an institution's *impact* involves making judgements about the extent to which the institution contributes to alleviating the problem it was tasked to resolve (Underdal 2002). Effective outputs can be expected to lead to effective outcomes, which in turn can be expected to lead to effective impacts; however, factors such as the degree of malignancy of the problem to be solved means that this relationship may not hold and therefore requires empirical investigation (Underdal 2002).

The final dimension of legitimacy in the conceptual framework is **distributive legitimacy**. This dimension derives from distributive justice models that posit that distributive fairness is an important aspect of legitimacy, meaning that actors will be satisfied when they believe the final distribution to be fair. This model is related to rational choice theory and its focus on self-interest as a motive for actors to seek to maximize gains (Raines 2003). This dimension is therefore concerned with the distribution of benefits to the members of the institution.

How these different dimensions of legitimacy are related to each other and how these criteria are valued by key stakeholders are pertinent questions for empirical research. As noted above, there may be both synergies and conflicts between the different dimensions and sub-components of legitimacy. The remainder of the paper seeks to offer a research agenda for studying these questions applied to a set of institutions that work at the intersection of climate and energy governance. While the conceptual framework has provided answers to the whys and whats of studying legitimacy and effectiveness, the next section will explore the hows of

conducting such research. Before discussing this research agenda, however, we will next examine the context of the fragmented global climate and energy governance landscape.

Table 1
Dimensions of legitimacy and effectiveness and their operationalization

| Dimension | Sub-components | Operationalization |
|----------------------------------|-----------------------|--|
| Source-based (input) legitimacy | Source of authority | What type of source-based legitimacy does the organization rely on: expertise/tradition/discourse? |
| | | |
| Process-based (input) legitimacy | Inclusion | What are the criteria for joining as member or observer? Are there any provisions for the participation of non-state actors and if so which? |
| | Procedural fairness | Who has a say in the decision-making? What type of decision-making processes exist, i.e. majority voting or consensus? |
| | Transparency | How transparent is the organization? I.e. level of information on the website, availability of decisions and important documents? |
| | Accountability | What accountability mechanisms exist? |
| | | |
| Substantial (output) legitimacy | Output | What type of output is produced, in general and/or when it comes to the energy-climate nexus? I.e. issuing regulations (binding or non-binding?)/ producing reports/ conducting research/ organizing meetings/ providing funding/ providing training etc – how much of each? |

| | | |
|----------------------------------|-----------------------|---|
| | Outcome | What is the level of cooperation and compliance amongst members? |
| | Impact | To what extent does the institution contribute to alleviating the problem it was tasked to resolve? |
| | | |
| Distributive (output) legitimacy | Distributive fairness | What are the equity aspects of the outcomes, i.e. distribution of benefits to members? |

International institutions in the fragmented global climate and energy landscape

Global climate change governance has for more than 20 years centred around the intergovernmental negotiations under the auspices of the United Nations Framework Convention on Climate Change (UNFCCC). The gridlock that has characterized global climate governance in the past decade gave way to renewed impetus for collective climate action with the adoption of the Paris Agreement in 2015. However, the world still faces an emissions gap that needs to be bridged to prevent dangerous climate change (UNEP 2016). Meanwhile, in recent years the number of alternative climate change initiatives has been increasing, leading to a fragmented global climate change governance landscape that includes climate clubs, transnational governance initiatives, public-private partnerships and other alternative climate governance instruments (Biermann et al 2009; Keohane and Victor 2011; Hjerpe and Nasiritousi 2015).

With around two-thirds of greenhouse gas emissions being associated with energy systems, transformation in the consumption and production of energy is considered key in tackling climate change and setting the world on a low-carbon path (Van de Graaf and Colgan 2016). This insight has given rise to a multitude of initiatives that focus on sector-specific governance arrangements in the area of energy. For instance, there has been a proliferation of institutions and initiatives that focus attention on renewable energy, including the International Renewable Energy Agency (IRENA), the Renewable Energy and Energy Efficiency Partnership (REEEP), and REN21 (Zelli et al 2013). These involve different types of actors but also have some overlaps. The broader picture of energy governance looks even more complex as it includes forums involving the major emitters such as the Major Economies Forum on Energy and Climate (MEF) and forums involving non-G20 countries such as Friends of the

Fossil Fuel Subsidy Reform, as well as a host of international cooperative initiatives involving a range of public and private actors (Harrison et al 2015).

The global climate and energy landscape is thus characterized by a patchwork of institutions that in different ways seek to address the cross-border externalities of energy production and consumption (Van de Graaf and Colgan 2016). In a fragmented governance landscape, which is characterized by a growing diversity of institutions that lack overarching coordination, there can be both division of labor but also duplication of work between institutions (Biermann et al 2009). With the Sustainable Development Goal #7 being "Ensure access to affordable, reliable, sustainable and modern energy for all"¹, the need for international cooperation has increased to remove barriers for joint projects and encourage international policy coordination. Nevertheless, no universal multilateral organisation has taken on this task and the patchwork of institutions that exist are "weak by design", reflecting a preference for soft law cooperation by the major energy producing and consuming governments (Wilson 2015: 97). Given diverging interests amongst the major powers and the lack of a single vision of energy transformation, overall global energy and climate governance can be expected to be relatively weak in terms of legitimacy and effectiveness (Karlsson-Vinkhuyzen 2015). The legitimacy and effectiveness of individual institutions working in this area, however, is likely to vary. Which ones are more legitimate and/or effective and why is therefore an important empirical question, which we turn to next.

A proposed research agenda for assessing legitimacy and effectiveness in global climate and energy governance

This section proposes a research agenda for closing the research gap identified by Van de Graaf and Colgan (2016) and others on the need to examine legitimacy and effectiveness in global climate and energy governance. While the conceptual framework can be used to see how individual international institutions perform according to the standards outlined above according to the normative approach, it is argued here that the conceptual framework should instead be used to guide research using the sociological approach. There are two main reasons for this: First, several studies have already been conducted that examine how international organizations perform on the normative dimension of legitimacy (e.g. Karlsson-Vinkhuyzen and McGee 2013; Keohane 2011). Much less is known about what key stakeholders perceive to be legitimate and effective institutions. This is central as the success of international institutions is dependent on the support of key stakeholders; understanding perceptions of legitimacy and

¹ <http://www.un.org/sustainabledevelopment/energy/>

effectiveness is thus important as it provides us with insights into how international institutions are assessed by those stakeholders that the institutions are meant to serve. Second, while previous literature highlight that legitimacy and effectiveness demands may vary between key stakeholders and outline possible drivers (Bernstein 2005; Karlsson-Vinkhuyzen and Vihma 2009; Mena and Palazzo 2012), there is a major research gap as empirical studies have not sought to answer central questions in the literature. The normative approach is not conducive to study questions such as how legitimacy and effectiveness are assessed by different stakeholders and how this may change in a dynamic context. For these reasons, the research agenda presented here proceeds from the conceptual framework presented above to guide research using the sociological approach.

The first task in studying legitimacy and effectiveness amongst individual institutions is to determine what constitutes the object to be assessed. If the objective is to provide a comparative analysis of different institutions, which has been called for in the literature (see e.g. Tallberg et al 2016), the analysis will require a focus on institutions working in the same field, such as those dealing with renewable energy policies. By narrowing down the object to be evaluated in this way, rather than mixing institutions working in different fields (such as carbon markets and fossil-fuel subsidy reform), the analysis will provide a basis to understand how institutional design affects the legitimacy and effectiveness of institutions. While it may be easier to only focus on intergovernmental institutions so as not to compare apples with oranges, the conceptual framework allows for a broader comparison of institutions that also have non-state actors as their members.

The next step involves proceeding from the normative framework to identify a set of questions that could be used to study perceptions of key stakeholders. For instance, according to the framework the legitimacy of an institution can depend on a number of factors, such as its source of authority, level of inclusion, procedural fairness, transparency and accountability. Similarly, perceptions of effectiveness can depend on the types of outputs produced by an institution, the level of cooperation or compliance amongst members, or notions of distributive fairness. How these factors are valued by different stakeholders has however thus far not been empirically studied. For instance, do key stakeholders believe an institution is more legitimate if its source of authority is based on tradition, on expertise, or on a particular discourse? Is the involvement of non-state actors important for international institutions to be considered legitimate? What type of output do international institutions need to produce in order to be considered effective? How does membership affect legitimacy and effectiveness? For example, is the work of the International Energy Agency (IEA) on renewable energy considered legitimate and effective given that it lacks members from developing countries? And

importantly, how do the answers to these questions differ depending on where the stakeholders are from and what roles they have, i.e. public or private actors?

Based on the normative literature, we would expect that key stakeholders consider institutions with high transparency, accountability and inclusiveness as legitimate and those with significant outputs and goal attainment as effective. However, perceptions of institutions are likely to vary between actors based on what norms they value and what goals they prioritize (Gutner and Thompson 2010; Bernstein 2005). By understanding how these perceptions vary, we gain important insights into the factors that contribute to legitimacy and effectiveness amongst international institutions.

In order to study these questions using the sociological approach, a questionnaire could be developed to gauge perceptions of legitimacy and effectiveness of the chosen institutions amongst key stakeholders. Here the task is to identify the key stakeholders and determine how to best capture their perceptions of legitimacy and effectiveness for the chosen institutions. Deciding on the community of stakeholders for the empirical investigation is an “interpretive endeavour” that involves the identification of “those over whom authority is claimed, or targets of rules” (Bernstein 2011: 28). The direct targets of rules are usually the members of the institution, although the work of the international institutions is likely to have implications for a wider set of actors. In the case of renewable energy policies, domestic energy agencies, marketplace actors and some civil society actors may be identified as relevant respondents to the questionnaire. The researcher’s task is to justify how the boundary has been drawn for identifying the community of stakeholders whose views on legitimacy and effectiveness of particular institutions are probed.

In terms of posing questions about sociological legitimacy to the selected community of stakeholders, the survey questions would need to be carefully worded so as to accurately capture perceptions of the level of acceptability of the institutions. Previous studies have captured this concept through a confidence measure to gauge how much confidence respondents have in particular institutions (Dellmuth and Tallberg 2015; Bühlmann and Kunz 2011). A more direct approach would ask respondents to rank which of the selected institutions are considered to be most legitimate and effective. Follow-up questions could then probe about the reasons for ranking some institutions higher than others. The results from the questionnaire could then be complemented with semi-structured interviews to gain deeper insights into why certain institutions are perceived to be more legitimate and/or effective. These interviews could also be used to further our understanding of potential synergies and trade-offs between the different dimensions of legitimacy and effectiveness.

This would enable the researcher to analyse how the different dimensions are related and to explore whether there are any particular institutional design aspects that contribute to the identified differences. Gutner and Thompson (2010) have for example identified internal and external, as well as social and material factors, as possible sources of performance for international organisations, including staffing, resources, power politics among members and organizational factors. As part of this investigation into the determinants of variations in the different dimensions of input and output legitimacy, it may therefore be useful to also examine questions such as: Who are the members?; Are the leading actors within the organization pushers or laggards when it comes to renewable energy?; What is the staff size and budget of the organization?; Does the organization have a secretariat, what other bodies?; What is the level of engagement/cooperation with other international organizations or institutions? This broader investigation could provide additional insights into the determinants of legitimacy and effectiveness amongst international institutions.

The results of these enquiries would together provide novel insights into aspects of effectiveness and legitimacy in the fragmented climate and energy governance landscape and contribute to providing policy-makers and others with a clearer picture of how different types of unilateral and multilateral institutions, as well as public, private or hybrid initiatives, affect global energy and climate politics. This research agenda would thereby complement previous research into the accountability of networked climate governance (Bäckstrand 2008), legitimacy in a fragmented climate governance landscape (Karlsson-Vinkhuyzen and McGee 2013), the effectiveness of unilateral fora (Weischer et al 2012) and regime interactions (van Asselt 2014) by broadening the empirical basis for exploring input and output legitimacy and assessing how key institutions seek to secure legitimacy. This research agenda would make a timely contribution to assess the impact of fragmentation on the effectiveness and legitimacy of the global climate and energy governance order.

Conclusion

Assessing legitimacy and effectiveness amongst international institutions is a challenging, yet important, task as the centrality of international institutions continues to grow for addressing some of the most pressing global challenges. Why are certain international institutions considered to be more or less legitimate or effective? And how should policy-makers navigate the fragmented global governance landscape where new international institutions seek to grab attention in different fields? This paper has proposed a research agenda in order to gain traction on these critical questions in the field of global climate and energy governance.

This paper has contributed to the literature on international cooperation by examining conceptual and methodological issues for assessing legitimacy and effectiveness amongst international institutions that work with renewable energy policies. The paper's dynamic research framework argues for the need to unpack these concepts in a changing context to better understand what they mean to key stakeholders. To that end, the paper developed a normative framework that was used to formulate a set of questions that can be studied using the sociological approach to provide a novel assessment of legitimacy and effectiveness of international institutions. Moreover, the paper argues for the mix of quantitative and qualitative data, as this enables a more comprehensive understanding of the multi-dimensional concepts of legitimacy and effectiveness. While meaningful evaluations of these elusive concepts are difficult to make, the conceptual and methodological discussions presented in this paper seek to provide a way forward to encourage systematic empirical analysis in this evolving field.

The proposed research agenda provides us with analytical tools to understand broader aspects of the operations of international institutions. Applying its insights would provide an empirically rich basis for investigating pertinent questions such as the relationship between input and output legitimacy, synergies and trade-offs between different sub-components of legitimacy and effectiveness, the role of power as a source of legitimacy and effectiveness, and institutional design aspects of international institution's performance. These questions are not only central to academic debates but have policy implications as well. This ambitious research agenda has a normative element to it as it seeks to better understand factors that contribute to legitimacy and effectiveness amongst international institutions. The performance of international institutions will remain an important issue for shaping global governance outcomes as international cooperation seeks to address some of the most critical global challenges in the years to come.

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