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Caterina Rost

The Divergent Trajectories of an Idea:
Sustainable Development in Germany and the United States

Caterina Rost

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Reading Committee:

Mark A. Smith, Chair

Peter J. May

W. Lance Bennett

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Abstract

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Caterina Rost

Chair of the Supervisory Committee:
Professor Mark A. Smith
Political Science

The idea of sustainable development underlies a policy regime in Germany but has not provided the basis for similar policy in the United States. Even though polls suggest that there is widespread support for environmental spending in both the US and Germany, only Germany has a well-developed policy regime around sustainable development. In the US, however, the idea as well as the interests and institutions surrounding sustainable development have not been able to capture policymaking at the national level, despite multiple attempts by presidents (specifically Presidents Carter & Clinton). This dissertation is seeking to answer the question, why has sustainable development taken such a different trajectory in US national policymaking than it has in German national policymaking? More broadly speaking, how do ideas gain traction in policymaking? I

argue that these two cases allow us to draw several broader lessons about the tractability of ideas. These lessons concern ideational framing and concurrence, the impact of the political system on the strength of the interest opposition, the capabilities and limitations of the institutional structure, as well as the impact of contextual factors. Ultimately, the evidence points to the largest lesson being the importance of the interplay of ideas, interests, institutions, and ideology.

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LIST OF ABBREVIATIONS

AAAS – American Association for the Advancement of Science
AEI – American Enterprise Institute
BAASD – Bay Area Alliance for Sustainable Development
BDA – Confederation of German Employers’ Associations
CDU – Christian Democratic Union
CEQ – Council for Environmental Quality
CRED – Centre for Research on the Epidemiology of Disasters
CSR – Corporate Social Responsibility
DIHK – Chambers of Commerce and Industry
EPA – Environmental Protection Agency
FDP – Free Democratic Party
FEMA – Federal Emergency Management Agency
GAO – Governmental Accountability Office
GDP – Gross Domestic Product
GSC – German Sustainability Code
HUD – Department of Housing and Urban Development
IUCN2 - International Union for Conservation of Nature and Natural Resources
JCSC – Joint Center for Sustainable Communities
NACo – National Association of Counties
NASA – National Aeronautics and Space Administration
NOAA – National Oceanic and Atmospheric Administration
OECD – Organization for Economic Co-operation and Development
OSTP – Office of Science and Technology Policy
PCSD – President’s Council for Sustainable Development
PDS – Party of Democratic Socialism
PERC – Property & Environmental Research Center
PNCSD – Pacific Northwest Council for Sustainable Development
SDI – Sustainable Development Indicator Group
SPD – Social Democratic Party

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DEDICATION

For my father, Dieter Rost.

PART I:
INTRODUCTION

CHAPTER 1

Introduction: How Ideas Gain Traction

Policymaking is fundamentally about ideas concerning the nature and extent of problems and how to solve them. Ideas take form as politicians and other interests debate the contours of problems and solutions. Some of these quickly fade as they lose out in the contest of ideas, while others gather attention in policymaking. The central question that I examine in this dissertation is how ideas gain traction in policymaking. In this introductory chapter, I discuss the literature on the role of ideas in policymaking and the focus of this dissertation on the varied traction of a particular idea—sustainable development. The chapter sets forth the comparison between the trajectory of this idea in policymaking in Germany and the United States, which informs the empirical understanding of the factors that shape the trajectory of ideas.

Thinking About Ideational Policy

The trajectory of ideas in policymaking ties into the extensive scholarly literature on ideational policy. Despite the existence of an extensive ideational policy literature, political scientists and policy scholars still do not understand this question well. Given the complexity of the contest of ideas in policymaking, this is not surprising. Also, there are various definitions of what constitutes an idea. Ideas are difficult to study because they are challenging to measure, especially quantitatively. They of course do not exist in a vacuum.

How ideas are perceived and used as well as how they gain traction is heavily dependent on the historical, political, and social context that they exist in. That is why it can be helpful to

understand policy development as a historical process. As Pierson notes, taking a historical approach can facilitate our understanding of “the possibilities and constraints of contemporary politics [and] allow us to identify the factors that provide the ‘glue’ for a particular policy arrangement,” which “in turn can be extremely helpful for identifying likely paths of policy reform” (2005, p. 48). Thus, thinking about policymaking in its historical context can help us understand the political constraints that may impede on an idea’s potential to gain traction.

Scholars have studied the policy process for decades trying to explain the factors that determine the policies that are enacted and implemented. However, ideas have only fairly recently become part of this analytical endeavor. As Béland and Cox note (2011, p. 6): “For much of the past half-century,” ideas have been disregarded “in favor of material interests or institutions to explain why people do the things they do.” During the 1950s and 1960s, policy scholars focused almost exclusively on interests. Thereafter, particularly during the 1980s, scholarship shifted to the assessment of institutions. Béland and Cox point out that the neglect of ideas was in part due to the dominance of behavioralism and its preference for empirically rigorous deductive methods as well as its disregard for interpretive analysis (2011, p. 6).

It was during the 1990s that the concept of ideas finally became a critical component of policy studies with what is now commonly referred to as the ideational turn (Blyth, 1997, 2003). This refocusing of the scholarly literature was a reaction to the explanatory limitations of the dominant scholarship at the time. As Blyth notes, the turn to ideas initially was “little more than an ad hoc attempt to account for theoretical problems apparent in the two main schools of institutionalist theory,” namely historical and rational institutionalism (1997, p. 229). The critical limitation of rational choice scholarship, which has dominated social sciences for a large portion of the 20th century, was that it focused on statics and therefore was not able to explain policy

change (Blyth, 2003, p. 695). With the turn to ideas, the question now is not anymore whether ideas are important, but how they are important (Mehta, 2011).

As a consequence of the shift to ideas, scholars started to assess the various ways in which ideas are critical to the policy process. In particular, they have begun to articulate “causal arguments about the impact of ideas [...] on political and policy change” (Béland, 2016, p. 229). Ideas are a necessary condition for change, as Blyth notes, “ideas can be seen as both facilitators of radical change and a prerequisite of it” (1997, p. 246). Clearly, it is important to carefully study the role of ideas in the policy process. But to do that, we first need to understand what ideas are.

Conceptualizing Ideas and Traction

Ideational scholars have defined ideas in various ways. “Despite the attention to the subject,” Béland and Cox noted, “there seems to be ambiguity and disagreement about basic definitions” (2011, p. 3). Emmerij, Jolly, and Weiss, for example, define ideas as causal “beliefs held by individuals or adopted by institutions that influence their attitudes and actions” (2005, p. 214; as quoted in Béland & Cox, 2011, p. 6). Parsons argues that ideas are “subjective claims about descriptions of the world, causal relationships, or the normative legitimacy of certain actions” (2002, p. 48). More specifically, Schulman defines a policy idea as a “set of concepts, axioms, and deductive inferences directed toward the analysis of a public problem” (1988, p. 265). Hoberg points to the connection between ideas, which he views as political resources, and those who articulate them by noting that the “legitimacy of arguments contributes to the influence of the actors promoting those arguments” (2002, p. 143). Furthermore, we must consider the form that ideas take. In this regard, it is helpful to conceptualize ideas as being on a

spectrum that ranges from narrow to broad. On one end of the spectrum, ideas are very specific, such as universal healthcare; and on the other end, they can be broad ideologies like neo-liberalism. In Béland and Cox's words, "ideas can take different forms, which range from problem definitions to policy paradigms" (2011, p. 231). In addition to ideas differing based on their complexity, ideas are also dynamic, meaning they "are not as stable as political scientists want them to be" because "ideational processes are always in flux" (Carstensen, 2011 as referred to in Béland, 2016, p. 238). The fact that ideas can take on a life of their own with their meaning changing over time further underscores the need for utilizing a historical lens.

Furthermore, the type of frame that an idea represents is also important to consider as it can influence its likelihood of gaining traction. While most framing studies focus on how the framing of an idea affects the public's opinion of that idea, the ideas themselves, i.e. their inherent meaning, can also frame a policy issue. For example, the idea of sustainable development, on the one hand, ultimately represents a problem framing. That means, sustainable development emphasizes a problem that needs to be solved, namely economic development that is not sustainable. Thereby, sustainable development frames our understanding of the relationship between economic and environmental policy in terms of a problem. The idea of resilience, on the other hand, focuses much more on a solution and can therefore be considered a solution framing. No matter what the problem is, i.e. threats from climate change or terrorist attacks, resilience policymaking addresses how we respond to such threats and seeks to improve our preparedness.¹ Of course, policy entrepreneurs can and often do attempt to change the main

¹ Sustainable development could also be thought of as solution. However, it would be a solution to a problem that may or may not have concurrence. Since the underlying problem ultimately remains vaguely defined and a matter of disagreement, the understanding of what exactly would constitute the solution, i.e. what sustainable development would look like, remains in question as well. Thus, policymakers tend to focus on discussing the problem that sustainable development describes. In contrast, resilience represents a more simplified framing that disregards the problem and focuses on a solution that applies to various problems, such as natural disasters and terrorist attacks.

meaning of ideas by refocusing the attention on different aspects of it. Thus, ideas are malleable and the way they get defined is a fluid process that hinges on the political dynamics of the time. Ultimately, it is important to consider ideational framing because it helps us understand whether an idea will gain traction.

But it is not only ideas that are variable; the process of gaining traction can also take various forms as ideas interact with interests and institutions. For example, it can mean that an idea becomes more prominent in the public's view or it becomes part of the policy agenda, when it was not before. Thus, it is important to be explicit about what constitutes gaining traction. I define traction as the degree to which ideas are embedded in policies and carried out as governing principles. This, as explained in what follows, can be assessed with respect to the degree to which viable policy regimes have formed around a given idea.

A policy regime constitutes the “governing arrangements for addressing policy problems,” comprised of the ideas, institutions, and interests that combine to make up these governing arrangements (May & Jochim, 2013, p. 428).² From an analytical perspective, it is particularly advantageous to apply the policy regime lens because it “can be used to construct a conceptual map that considers the constellation of ideas, institutional arrangements, and interest involvement in addressing policy problems” (May & Jochim, 2013, p. 426). Such a conceptual map allows for a thorough assessment of the interplay of these three components, which then allows us to better understand the trajectory of an idea as it interacts with both institutions and interests.

Without ideas the institutions and interests of regimes would be irrelevant. May and Jochim (2013) discuss the interplay of ideas, interests and institutions and how they give life to

² Wilson (2010) defines the three components of a policy regime as the power arrangements, policy paradigms, and organization.

policy regimes. Ideas provide the glue that holds a regime together in that they constitute the purpose of regimes. The institutional arrangements structure the regime and are critical for the implementation of the idea that they were designed to address or that they were tasked to deal with. These institutions can be both governmental and non-governmental that either already existed or that were created specifically for the implementation of a specific idea. Finally, interests provide the governing capacity of a regime through their support for the idea. At the same time, however, they can also hinder the implementation of an idea if they oppose it.

Ultimately, the regime lens can help us understand what component is missing for a viable and durable policy regime to be established. Considering the policy process and policy change literature, the policy regime model is also superior to other approaches because it combines multiple factors into a comprehensive model instead of focusing on individual aspects and it is “useful in explaining both [policy] stability and change” (Wilson, 2000, p. 247).

Focusing on Sustainable Development

The empirical focus of this dissertation is on the differing trajectory of sustainable development as a powerful idea in differing political contexts. As explained above, I assess the development of policy regimes that advance the principles of sustainable development as a means for getting at the degree of traction that this idea has gained in different settings. Like many ideas, sustainable development has had a variety of definitions over time.

Sustainable development is often used synonymously with sustainability, a term that has its historical roots in German forestry of the 18th century, and that may even go back further than that. Back then, it referred to the goal not to cut more trees than can grow back. Later, the concept was applied more broadly to a variety of policy areas. Accomplishing an equilibrium

between consuming and preserving natural resources “for the longest run” is broadly speaking at the heart of the sustainability endeavor (De Graaf & Batker, 2011, p. 153). The concept gained prominence through the United Nations, which created the World Commission on Environment and Development (WCED) in 1980, which in turn established the Brundtland Commission, named for the former Norwegian prime minister Gro Harlem Brundtland. The commission was tasked with developing policy recommendations for accomplishing lasting development and in 1987 it published its report titled “Our Common Future,” which firmly put the idea on the international policy agenda.

Sustainable development is a particularly useful concept for studying ideational politics because it is very broad and of global significance. The boundary-spanning idea can be applied to almost every area of policymaking, which gives it the potential to reach paradigmatic status. Because it can be firmly placed on the all-encompassing end of the ideational continuum and since it has garnered a substantial amount of international attention, it is a particularly well suited for comparative analysis.

An idea that shares many features with sustainable development is resilience, which is the “ability to anticipate, prepare for, and adapt to changing conditions and withstand, respond to, and recover rapidly from disruptions” (Executive Order 13653, 2013). The two boundary-spanning ideas are related concepts as they seek to address similar policy problems, for example the effects of climate change. As indicated, however, resilience emphasizes the pursuit of solutions, while those who discuss sustainable development generally tend to focus on describing the problems it raises.

Comparative Approach for this Research

This dissertation takes advantage of the observation that sustainable development gained traction and led to the emergence of a strong and durable sustainable development policy regime in Germany, but failed to gain traction overtime in the U.S. despite multiple efforts by different presidents. Consequently, the research puzzle at the core of this dissertation is how is it that sustainable development has taken two very distinct trajectories in these two countries?

In answering this research question, I consider the similarities and differences between these two countries that are relevant to the varying trajectories of sustainable development. Specifically, I focus on the parallels and variations in political structure, institutional arrangements, interest involvement, socio-economic conditions, public opinion, and ideology. Looking at these two comparative cases over time permits the study of different periods in each setting. These periods differ from one another because variables, such as the ideological emphases, the political make-up, and public opinion changed. These variations over time allow for an assessment of the question if and how these factors affected the traction of sustainable development in each country.

As a cross-national comparative study, this research contributes to the comparative literature on ideational policy and to the comparative policy regimes literature. These literatures are briefly reviewed here along with the contributions that this research makes. As evident from the brief literature reviews, the contribution of this work is relevant as each set of literature is not well developed. The analytic details of the comparison are discussed in the next section of this chapter.

Comparative Ideational Policy Literature

Though scholars have made some progress, Béland suggests the “full integration [of the analysis of the role of ideas in public policy] into comparative policy literature is very much a work in progress” (2016, pp. 228-229). Nevertheless, some comparative politics researchers have illustrated how ideas can be critical in explaining variations between countries. For example, Sheri Berman’s study of social democratic parties in the 1920s revealed the importance of ideas for explaining the different responses of the German and the Swedish social democratic parties to fascism. While she does not disregard the significance of structural factors, she argues that the difference between the two cases is “each party’s long held ideas and the distinct policy legacies these ideas helped to create” (Berman, 1998, p. 7). Another example is Hilary Appel’s study of the privatization strategies of postsocialist economies. Appel explains that the differences in the Czech and Russian privatization strategies are driven by ideology. Specifically, she notes, “in the Czech Republic reformers strengthened the case for privatization by portraying it as anticommunist and pro-European” (Appel, 2000, p. 540). Furthermore, Robert Henry Cox explains that welfare reform happened in Denmark and the Netherlands but not in Germany because of “an increasing perception of an imperative to reform that was more widespread in Denmark and the Netherlands” (Cox, 2001, p. 463). This socially constructed imperative “generated a political consensus that was more elusive in Germany” (Cox, 2001, p. 463). As these studies illustrate, ideas can be a critical factor for explaining variations in the behavior and decisions of political actors and thereby policy outcomes in different national contexts.

This dissertation contributes to the comparative ideational policy literature as I analyze the interplay of a policy idea and the institutions and interests that it connects with in order to understand why the idea gained traction in one political context but not in another. This research

project is unique in that it provides a clear comparative case of traction in one setting (Germany) and lack of it in another (United States). Furthermore, I focus on the regime formation process as a concrete way of assessing how much traction an idea has gained. Finally, my research provides an analysis of the trajectory of an idea over a 25-year period involving multiple changes in elected governments and ideological perspectives in each setting. As such, I seek to advance comparative ideational policy theory building.

Comparative Policy Regime Literature

The comparative policy regime literature is still in its beginning stage, which means that there is relatively little published work in this area of scholarship.³ There are several case studies focusing on distinguishing between different policy regimes in single national settings over time. Most prominently, Eisner (1994) differentiates between various policy regimes as eras in U.S. regulatory history, namely a market regime, an associational regime, a societal regime, and an efficiency regime. Other examples are Strunz' (2014) analysis of the German government's move away from the conventional fossil-nuclear regime to a renewable energy sources-based regime and Sergent's (2014) study of the changes in the forest policy regime in France. Looking at the intersection of welfare and immigration policy, Boucher (2016) found that four different policy regimes existed in Australia during the period from 1947 to 1996. She notes the importance of structural factors, such as unemployment, in explaining the emergence of policy regimes that span traditional boundaries between different policy issues.

There are relatively few cross-country comparisons of policy regimes. Most of the work in this area is very recent and this dissertation contributes to this evolving and growing body of

³ Although there have been several conference papers addressing policy regimes from a comparative perspective recently.

literature. One of the earliest cross-country comparative policy regime studies is Detlef Jahn's (1998) analysis of the environmental performance and policy regimes of the then 18 OECD-countries. He found that “institutional factors are important for a successful environmental performance” and that “the degree of mobilization of ecological movements and parties is essential” for policy regime change (Jahn, 1998, p. 107). More recently, Burke and Kuo (2015) have analyzed international higher education policy regimes focused on widening participation in China, Britain and the United States. Goldthau and LaBelle (2016) utilize the policy regime concept to study and explain shale gas policy divergence in Bulgaria and Poland. They argue that the policy regime strength is critical for the policy outcome. Focusing on environmental policy, Andreas Duit (2016) categorizes the environmental policy regimes that the 28 OECD countries fit in based on their four key resources, namely regulation, redistribution, organization, and knowledge generation. Duit creates a typology of environmental governance regimes, which includes established, emerging, partial, and weak environmental governance regimes.

This dissertation seeks to contribute to this novel and growing body of literature about policy regimes. In particular, my work makes a contribution through its focus on an explicit comparison of the emergence of viable and fledgling policy regimes based on the concept of sustainable development. Furthermore, it adds to the existing literature as it analyzes the durability of policy regimes over time and pays attention to the role of political and economic contexts in shaping the character of policy regimes. As such, my work moves beyond describing the existence (or lack thereof) of a policy regime to theorizing about the emergence and durability of policy regimes.

While establishing a broad and generalizable pattern or overarching theory “is necessarily beyond the scope of a small-N, qualitative, case study approach [...], the empirical investigation

of new theories through concrete case studies has theory-building value” (Boucher, 2016, p. 4), which is the aim of this dissertation. This work does this, as elaborated upon in what follows, by zooming in on key junctures in the policy regime building process. This allows for the tracing of the variables that potentially impact this process and to draw conclusions about which of these variables have the greatest explanatory power to shed light on the process of gaining traction.

Furthermore, comparing the sustainable development policymaking in Germany and the United States is valuable and instructive. Despite sharing commonalities, the two countries differ substantially in their sustainable development policy outcome. Following the Rio summit in 1992, the United Nations urged its member states to create and implement national sustainability strategies, which both of these Western industrialized nations attempted. Yet, even though both made a serious effort to incorporate sustainable development into their policymaking, the idea took a very different path in the United States than it did in Germany, which ultimately led to dissimilar policy outcomes in these two cases.

A comparative analysis of the trajectory of the idea of sustainable development in these two countries facilitates a deeper understanding of the factors that led to the divergent policy outcomes. The following detail-oriented investigation provides an assessment of the challenges of sustainable development policymaking in two different national contexts. More broadly, such an analysis helps us understand the factors that can enable or impede on the emergence of a comprehensive and durable policy regime.

Analytical Framework

Ideas, and the policy regimes that encompass them, are shaped by the power of the ideas, the interests who engage or resist those ideas, and the institutional structures that are put in place

to carry out the ideas. The analytic focus of this dissertation is the formation of sustainable development regimes in United States and Germany. I utilize the policy regime concept to capture the interactions between the idea of sustainable development, the interests that support and oppose it, and the institutions that undergird it. As I seek to depict and analyze the sustainable development regime, “the key analytical questions [...] revolve around the characterization and strength of each of these elements” (May & Jochim, 2013, p. 437). Based on what I learn from applying the policy regime lens to the idea of sustainable development, I draw conclusions about the reasons for why the idea gets traction in one national setting but not in another.

The Policy Regime Lens

The starting point for my analysis is the idea itself, instead of a certain policy outcome, which is the more traditional point of departure for policy studies. How the idea gains traction “provides a basis for evaluating the strength of a regime and the implications for policy legitimacy, coherence, and durability” (May & Jochim, 2013, p. 437). A variety of different policy ideas have been associated with sustainable development. These include but are not limited to technological innovation, renewable energy, resource conservation, population stabilization and increasing efficiency, all of which have been linked to sustainable development to varying degrees. Different political actors and interests can stress different meanings of sustainable development, which can then undermine the attempt to create a sustainable development policy regime due to the lack of a coherent meaning. When there is no shared understanding of the policy goal, it is more difficult to establish a policy regime. Thus, it is important to consider what political actors mean when they refer to sustainable development. We

must consider not only what the core idea is that comprises the purpose for the policy regime, but also how the idea is meaningful.

In addition to evaluating whether the idea fosters a common understanding of the policy goal, it is necessary to take a closer look at the relationship between the idea and the interests responding to or advocating for it. The relationship between the two needs to be assessed to examine whether the idea is “endorsed by key actors who must carry out policies” (May & Jochim, 2013, p. 434). Support from interests is necessary for a policy regime to succeed. Broadly speaking, interests are the involved political actors, i.e. the “affected beneficiaries” or “the relevant stakeholders” (May & Jochim, 2013, p. 436). Specifically, that includes interest groups, advocacy organizations, citizen groups and many others. We also need to consider elected officials, who ultimately represent various interests themselves. It is important to keep in mind that the various interests do not care about the idea to the same degree. To analyze the role of interests, it is necessary to assess whether the various stakeholders were brought together to agree on a shared understanding of both the problem that needs to be addressed and the solution for how to address it. Ultimately, “interest-based backlash [can] dissipate or destroy the energy behind a regime” (May & Jochim, 2013, p. 436).

To capture the support of interests for the idea, we must consider whether it has “been reinforced through statements and actions of policymakers and policy entrepreneurs” (May & Jochim, 2013, p. 434). For the United States, this includes the president and other representatives of the executive branch as well as members of both the House of Representatives and the Senate. In the case of Germany, it includes the Chancellor, cabinet members, and representatives of the Bundestag. Furthermore, it is necessary to analyze the level of support and opposition from outside interests, such as interest groups, think tanks, and intellectuals. For the idea of

sustainable development, it is particularly important to consider the position of both business interests and environmental groups. Not only is it critical to trace what the sources of interest support and opposition to the idea and ultimately the regime are, but we also need to consider how these interests differ in their power and level of engagement. If the idea is supported by numerous interests that all lack political power, for example, it does not bode well for the creation of a policy regime. However, if there is support for the idea from powerful interests, it increases the chances for the successful establishment of a strong policy regime. Similarly, these chances are also helped by the absence of a strong backlash against the idea from interests. Finally, we need to consider whether “the policy regime engenders feedback mechanisms that have the potential to reshape [the current] interest alignment” (May & Jochim, 2013, p. 434). That means we need to consider whether the idea influences the discourse in a way which alters existing positions.

To capture the role of interests in policy regime creation, I analyze the discourse around the idea of sustainable development at various points in time. As May and Jochim note, the “designation of the relevant interests and their stances requires a close reading of the relevant debates at the time of policy enactment and consideration of those groups that are impacted by a given set of policies” (2013, p. 437).

Finally, it is necessary to examine the structural component of the policy regime. To do so, the first step is to map the institutional design, which includes already existing and newly created institutional structures that are meant to carry out the idea. Then I assess the characteristics of the institutional design. Specifically, that means considering the degree to which its characteristics facilitate or hinder the establishment of the policy regime. For example, it is important to consider the stability of the institutions, meaning whether they are only

temporary in nature or long-standing institutions with an established work flow and strong working relationships. Which political actors the institutional structure engages with is of utmost importance for the success of the policy regime. Fostering broad interest support through the institutional structure is necessary for the creation of a durable policy regime, so it is critical to consider whether the relevant institutional structures successfully bring together the pertinent stakeholders and build a consensus among them. As May and Jochim note, the relevant analytical questions to consider are: “Does the institutional design channel attention, information, and relationships in support of policy goals? Does the institutional design establish linkages among relevant implementing authorities? [And] does competition undermine structure-induced cohesion?” (2013, p. 434) Ultimately, the critical question is whether the institutional structures that carry out the idea induce structural cohesion, which builds the structural foundation for the policy regime.

Examining the idea, its coherence and the level of endorsement and opposition from interests, as well as the degree to which the institutional design structures the regime is necessary to evaluate the strength of the policy regime’s foundation. Furthermore, a close analysis of the policy regime components provides the basis for understanding why the idea of sustainable development gained traction in Germany, but not in the United States.

Timeframe

The development of policy regimes is fluid given changes over time in the governing party in the United States and the governing multi-party coalition in Germany who give definition to ideas, address and mobilize different interests (and parties), and create or modify institutional arrangements to advance ideas. Because of the fluidity of this process, it is important

to take a broad and comprehensive historical look at the policy development relating to sustainable development, instead of just looking at one specific point in time.

The research approach employed here consists of considering the evolution of sustainable development as an idea and the forces that shaped efforts to create a policy regime around it in the United States and Germany over the period from the early 1990s to 2016. I choose the early 1990s as a point of departure because the publication of the United Nations' Brundtland report in 1987 and the 1992 Rio conference were key events for putting sustainable development on the international policy agenda. Additionally, at the conference in Rio, the United Nations admonished its member countries to create and implement a national sustainability strategy. For the United States, I also include President Carter's *Global 2000 Report*, which was published in 1980, as a case study because it adds valuable historical context that helps us to better understand the interests at play in this debate and the arguments made by each side.

Opportunities and Constraints

The opportunities and constraints for policy regime building depend to a large degree on broader governing conditions. The relevant structural characteristics are the electoral makeup, the governing structure, the role of parties and interest groups, political ideologies, and key contextual factors, such as external shocks, the state of the economy, and public opinion. In getting at the differences between Germany and the United States in the way sustainable development was treated, I focus on the interplay of ideas, interests, and institutions within each setting over time while paying close attention to the opportunities and constraints that shape this interplay.

The institutional differences between the United States and Germany must be taken into consideration when explaining the different trajectories that sustainable development took in these two national settings. While the two countries do have a lot in common, there are also a lot of structural differences between them that may have affected the likelihood of the creation of a sustainable development policy regime. One of the biggest differences is that the German parliamentary system blends the legislative and executive branches, thereby preventing divided government from occurring. Consequently, the German legislative is not independent of the executive branch and therefore does not provide the same check on the executive as the U.S. legislature does. In Germany, which some scholars have argued is a party state (cf. Gerhard Leibholz), the policy debates play out through a clash between parties and the structural need for coalition and consensus building makes for a less polarized debate among the political elites. In addition, the major parties all try to appeal to the majority of the public, i.e. the median voter, and the voters in the middle of the political spectrum generally do not have very extreme opinions. Thus, they represent the majority opinion and govern that way, which means that opinions of the minority are less dominant. Interest groups generally do not influence individual legislators but instead appeal to the party as a whole since different parties are close to different interest groups. For example, while the Christian Democratic party is close to business interest groups, the Social Democrats are traditionally closer to unions.

In contrast, the United States has a presidential system, that is marked by separation of powers and the checks and balances that go hand in hand with it. Successful policymaking must clear numerous veto points that are built into the system, which can prove challenging. One consequence of the separation of powers is that it provides interest groups multiple points of access to the system that allow them to influence policymaking. In particular, it is rather easy for

interest groups to fight against policy initiatives that they oppose. Another feature of the U.S. political system is that there is a substantial amount of polarization at the elite level. The introduction of primary elections, which guarantee that the most partisan voters on each side determine who represents them as their party's candidates in the general election, substantially increased the level of polarization.

Alternative Explanations

In addition to the structural factors of government, there are a number of other explanations that can possibly illuminate why sustainable development has taken a different path in German than in U.S. policymaking. Chief among these are external shocks, socio-economic conditions or the state of the economy, public opinion, and ideology. Throughout my analysis, I carefully consider the role that these factors have played in the development of policymaking to assess the degree to which they facilitated or hindered the creation of a sustainable development policy regime.

External shocks are often cited as potential causes of policy change and there are examples where it is clear that they triggered policy change, such as the case of the German energy transition (Strunz, 2014).⁴ As Wilson notes, “catastrophic events, economic crises, demographic changes, shifts in modes of production, and others—impact policy regimes and create pressures for change” (Wilson, 2000, p. 247). Specifically, such shocks can raise the visibility of an issue and they also have the potential to change its trajectory. Thus, I will include external events, such as natural disasters, in my analysis to evaluate whether they triggered policy change, i.e. enabled the creation of a sustainable development policy regime.

⁴ In this case, the nuclear meltdown at the Japanese Fukushima Daiichi reactor following an earthquake and tsunami in 2011 was an external shock that led to a reversal in the German nuclear power policy.

Since sustainable development policy entails at least some regulation of the economy, it is reasonable to assume that the economic situation and socio-economic conditions may have an impact on sustainable development regime building. Therefore, it is necessary to consider the state of the economy as a potential constraint on sustainable development policymaking and regime building. As Pierson and Smith have noted, the market can have a “constraining effect on reform,” particularly when social democrats pursue the policy reform (1993, p. 489; cf. Block, 1977; Lindblom, 1977; Przeworski, 1985). Not only would we expect that sustainable development faces challenges from economic and business interests, but we would anticipate that economic arguments gain even more traction during challenging economic times. So if, for example, the GDP shrinks, the growth rate diminishes and the unemployment rate surges, the opposition to sustainable development should gain ground.

Another factor that may influence the chances of sustainable development policymaking to succeed or fail is public opinion. In particular, public opinion regarding both the environment and the economy is potentially relevant in this case. Stimson et al. (1995) argue that changes in public opinion trigger a response in public policy. Thus, the question that needs to be addressed is whether the government is in fact responsive to public opinion. Specifically, whether its responsiveness is reflected in the trajectory of sustainable development. We would expect support for environmental issues to correlate with a strengthening of the sustainable development regime or the trajectory towards such a regime and opposition to environmental issues with a weakening of the same. Public opinion about the state of the economy in turn should affect the trajectory in the opposite direction. If the economy is perceived to be in trouble, we expect that sustainable development policymaking would become more difficult. As a consequence, it would face stronger opposition from elected officials responding to public opinion.

Finally, whether sustainable development can be successful as a policy idea may also depend on the predominant ideology that sets the boundaries for policymaking at the time. Howlett (2009) uses the term “governance modes” to describe these ideological foundations of policymaking. He defined them as “high level government goals and implementation preferences [that] cluster over time into favored sets of ideas and instruments” (Howlett, 2009, p. 76). According to Considine (2001) and English and Skellern (2005), there are four modes of governance—legal, corporatist, market, and network governance. Which of these modes or ideologies dominates policymaking in a country at a given time will set the range of feasible policy options. Ideas and policies outside of the dominant ideology are unlikely to have any chance for success and consequently will be disregarded by policymakers. Thus, if sustainable development does not fit into the predominant governance mode, it is unlikely to gain traction. Whereas, if it does line up with it, it does have a chance of being successful.

Various authors have pointed out that the ideology that shapes American policymaking is one that prioritizes market solutions over governmental regulation. Considine (2001) and others refer to this as market governance, which relies upon auctions, contracts, subsidies, as well as tax incentives and penalties as implementation preferences. In contrast, these authors argue that it is network governance that frames policy choices in the industrialized nations in Europe. Some authors (e.g., Turner, 1920; Hartz, 1955; Lipset, 1996) go as far as to suggest that the American political system is exceptional—meaning that it is unique in some way and has a “non-European” character (Ceaser, 2012, p. 9). Kingdon (1999), who argues for the “uniqueness of the American system of government,” describes the same as being characterized by its adherence to individualism and equality combined with a deep-seated mistrust of government. Ultimately, the question that needs to be addressed is whether American exceptionalism narrows the range of

plausible policy options in the U.S. to the degree that it excludes sustainable development, which would certainly prevent it from gaining traction.

For each case study and key juncture, I carefully consider the role that these factors have played in the policy regime building process. I do so by tracing whether external shocks as well as changes in socio-economic conditions and public opinion coincide with the idea of sustainable development gaining traction or falling out of favor within the government and/or among the relevant stakeholders. External shocks in particular can have the potential to change the alignment of interests and to bring various stakeholders together, thereby enabling regime formation. A strong economy can relieve the pressure on elected officials to prioritize economic over environmental policy, while a weak economy might undercut environmental and sustainable development policymaking. Assuming elected officials are at least somewhat responsive to public opinion, support among the public for environmental issues may facilitate sustainable development policy regime formation. Finally, I will assess whether the exceptionally American ideology of individualism, belief in market forces, and mistrust of government has narrowed the range of policy options to exclude sustainable development from serious consideration.

Methods, Data, & Measures

This dissertation relies upon comparative case study analysis focusing on the trajectory of sustainable development regimes in Germany and the United States over the period from 1990 to 2016. The goal is to draw conclusions not just about how the idea of sustainable development affected policymaking, but why it has taken such different trajectories in the two countries under investigation. I rely upon a mix of qualitative and quantitative measures to capture the three policy regime components as well as some key contextual factors. Following, I discuss the basics

of my methodological approach. Beyond that, each chapter includes more details about the measures employed for the individual case studies and the analyses of key junctures within them.

Idea & Ideational Uptake. The starting point of my analysis is how policymakers and others, i.e. interest representatives, conceptualize sustainable development. I rely upon a close reading of various primary governmental documents, such as press releases, executive orders, governmental reports, and speeches, to capture how the German governing coalitions as well as the American presidential administrations that I include in my analysis characterize the broader idea as well as which concrete key policy ideas they connect with sustainable development. Then I measure the ideational uptake, i.e. the degree to which various political actors embrace the idea of sustainable development through a variety of measures. The governmental documents authored by the different administrations and governing coalitions reveal the level of ideational uptake within them. For example, if the presidents and chancellors themselves give speeches broaching the issue, we learn how high of a priority the idea is. Also, the sheer number of government documents referencing the idea and in how much detail it is being discussed helps assess the ideational uptake.

Since the governing coalitions in Germany are part of the legislature, I include the Bundestag in this analysis. Beyond that I consider the level of ideational uptake within the German legislative opposition and the whole U.S. legislative branch. I evaluate the legislative response by searching floor speeches, committee hearings and reports, as well as statements made by individual legislators. For the U.S. Congress, I rely upon data from the website congress.gov as well as the publications *The Hill* and *Politico*.⁵ For the German Bundestag, I searched the parliamentary archive for relevant documents (www.bundestag.de/archiv).

⁵ *The Hill* was established in 1996 and *Politico* was launched in 2007.

Interest Alignment. In addition to capturing the ideational uptake within the government itself, it is necessary to consider how other political actors responded to the idea of sustainable development specifically and, where applicable, to the attempts of the government to create a sustainable development policy regime. Thus, I record the level of interest support and opposition that the idea as well as the governmental actions in support of the idea encountered. Beyond assessing the actions of elected officials who are from various parties, I also analyze party platforms to gauge the parties' take on sustainable development outside of their work in government. To do so, I selected a number of relevant interest groups, think tanks, and advocacy organizations and searched their websites for relevant materials via a keyword search. Besides capturing their stance on sustainable development, I also explore how they sought to influence and/or were engaged in governmental policymaking. Finally, I traced the development of relevant movements, such as the U.S. Wise Use movement, and their impact on policymaking. Beyond this primary data, I relied upon media reports as supplemental data.

Institutional Structure. To analyze the degree to which the institutional arrangements that were put in place to carry out sustainable development efforts are effective and foster structural coherence, I map the institutional framework and the relationships between the different institutional bodies. For the U.S., this can be done by assessing the presidential executive orders from those presidents who were attempting to create a sustainable development regime since these executive orders played a significant role in establishing the institutional framework for the potential regime. In the case of Germany, the different institutional bodies that were created to address sustainable development have comprehensive websites that document their work.⁶

⁶ For example: www.nachhaltigkeitsrat.de

These three measures—the ideational uptake, the interest alignment, and the institutional structure—capture the three components of the policy regime. Measuring them provides the foundation for determining whether the governments in the cases under investigation were able to create viable and durable sustainable development regimes. Consequently, they illustrate the varying trajectories of the idea of sustainable development as well as provide valuable insights into the possible explanations for these differences in trajectory.

Other Measures. In addition to these three policy regime measures, I include some contextual measures capturing external shocks, socio-economic conditions, public opinion, and ideology. In terms of external shocks, I focus particularly on severe weather events that resulted in a large number of deaths. These disasters are likely to have received substantial media coverage and therefore had the potential to affect the policy trajectory of sustainable development. To get an overview of all disasters that happened in each country during the time under investigation, I rely upon the Centre for Research on the Epidemiology of Disasters' (CRED) International Disaster Database. CRED lists all disasters including their dates and total number of casualties. To capture socio-economic variables I rely upon statistics from a variety of governmental organizations, such as the Bureau of Economic Analysis and the Bureau of Labor Statistics for the U.S. and the statistics portal Statista for Germany. The public opinion data comes from a variety of sources, such as the General Social Survey, Gallup, and the Allensbach Institute. Measuring the evidence for ideology is not as straight forward. Instead of capturing statistics based on ideology-related survey questions, I assess the ideological content of policy actors' statements made in support of or in opposition to sustainable development.

Overview of Dissertation

In the second chapter of this dissertation, I summarize how the idea of sustainable development evolved in the national politics of both the United States and Germany. This chapter also elaborates on the international influences on domestic policymaking specific to sustainable development, which includes the United Nations, the European Union and non-governmental organizations. Each of the chapters following this overarching chapter zooms in on a specific aspect of the larger trajectory in order to discuss key junctures. The chapters focusing on the U.S. are divided by presidential administrations in getting at key differences in institutional arrangements and interest influences. The German chapters also focus on these differences, which are less tied to particular governments. The rationale for selecting the aspects of the broader trajectories to zoom in on was driven by the data about the trajectories. Some aspects were selected because they shed light on how interests affected the trajectory; others were particularly instructive regarding the development of institutional arrangements. Nevertheless, each substantive chapter discusses each one of the three policy regime components. In addition to mapping and discussing the policy regime components, each substantive chapter also addresses the role that external shocks, socio-economic conditions, public opinion, and ideology played in the regime building process.

Part II of the dissertation (chapters 3 to 5) pays particular attention to the role of interests in the building of national sustainable development policy regimes. Chapter 3 traces the back and forth between interests supporting and opposing President Carter's *Global 2000 Report to the President*, which was published in 1980 after three years of comprehensive research. President Carter had commissioned the report in 1977 to provide a 20-year outlook on the world's resources, economy, environment, and population based on the best available data and science.

Due to the shift in political power with the election of Ronald Reagan, the ideas in the report had no chance of getting traction within the new government. Thus, they did not provide the foundation for a policy regime at that time. Nevertheless, an enlightening back and forth between opposing interests—those defending the ideas in the *Global 2000 Report* and those who argued that the ideas were too pessimistic and disregarded technological innovation—followed the publication of the report. Ultimately, the opponents of sustainable development prevailed and they laid the ideational foundation for future opposition to sustainable development.

Chapter 4 discusses the German Sustainability Code, which represents a stark contrast to the *Global 2000 Report* in how the interest alignment played out. The German Sustainability Code is a tool for companies and other organizations to report on the non-financial aspects of their work. As such, the code is a concrete policy action to encourage sustainable economic activity. Initiated by the German Council for Sustainable Development in the early 2000s, the code was successfully established through the pooling of interests and the intensive engagement of these interests in the developing process. The interests were involved in the process of creating the sustainability code via various multi-stakeholder forums. In addition, their written feedback was requested during an official comment period, which followed the publication of the initial draft of the code, and some of them participated in a test phase that sought to examine the applicability of the code. Overall, the chapter illustrates how a conscientious effort to incorporate interests into the policymaking process was successful in Germany and limited interest opposition to the code substantially.

Chapter 5 discusses the interest pushback against sustainable development during the presidency of George W. Bush. After his predecessor had attempted to establish a sustainable development policy regime, President Bush and his administration swung into the opposite

direction and abandoned any policymaking efforts surrounding sustainable development. What is of particular significance is that the interests opposing sustainable development had substantial influence within the Bush White House. The intense interest opposition did more than simply dispute the idea of sustainable development, it also sought to create a counter narrative that focused on deregulation and the importance of private property. The so-called Wise Use movement organized in opposition to sustainable development and played a key role in establishing this counter narrative.

Part III of the dissertation (chapters 6 to 8) focuses in particular on the development of the institutional arrangements and the challenges associated with them. Chapter 6 addresses the search for a consensus under President Bill Clinton through the establishment of the President's Council on Sustainable Development. President Clinton's attempt to create an institutional structure to address sustainable development policymaking was the closest that the U.S. federal government has gotten to establish a sustainable development policy regime. However, as the chapter lays out, there are numerous challenges Clinton and the council faced that prevented the long-term success and the implementation of sustainable development policies. Chief among these were the opposition from Congress and conservative interests. Thus, the divided government played a significant role in undermining the nascent sustainable development policy regime that President Clinton sought to establish.

Chapter 7 discusses the creation of the German institutional structure that was put in place during the early to mid-2000 to address sustainable development. This case provides a stark contrast to the preceding chapter. While President Clinton was ultimately unsuccessful in creating a durable institutional structure to address sustainable development and therefore a policy regime based on the idea, the German government accomplished what Clinton could not.

Relying upon consensus building among the major political parties represented in the Bundestag and the active involvement of a broad spectrum of interests within the institutional structure, the German government built a durable sustainable development policy regime. Nevertheless, this policy regime has its limitations, which chapter 7 addresses as well.

Finally, chapter 8 examines the degree to which President Obama was successful in his effort to establish a policy regime based on the idea of resilience. His attempt provides an interesting contrast to President Clinton's efforts. Resilience, when defined broadly as threat resilience, was supported by congressional Republicans. However, President Obama worked hard to link climate resilience, which Republicans oppose, with threat resilience, thereby entangling the two politically. As a consequence, there is a different outcome for climate resilience than for threat resilience. Thus, this critical juncture illustrates that although resilience constitutes a different approach to similar policy problems as sustainable development, resilience—when it is defined to include climate resilience—faces the same hurdles as sustainable development.

Each chapter examines the various factors that may contribute to or prevent the idea of sustainable development, and in the case of chapter 8 resilience, from gaining traction in policymaking. Specifically, the chapters provide insight into how and why the German government was more successful in creating a sustainable development policy regime than the government of the United States. In the concluding chapter, I draw broader lessons about the tractability of ideas. These lessons concern the ideational framing and concurrence, the impact of the political system on the strength of the interest opposition, the capabilities and limitations of the institutional structure, as well as the impact of contextual factors. Ultimately, the evidence

points to the largest lesson being the importance of the interplay of ideas, interests, institutions, and ideology.

CHAPTER 2

The Trajectory of Sustainable Development in German and American National Policymaking

It is important to consider the overarching trajectory and the history of sustainable development as a policy idea in both the U.S. and Germany when thinking about how ideas evolve in the policy debate and how they are institutionalized in the policymaking process. Thus, this chapter lays out the trajectory of the idea of sustainable development in German and American national policymaking. By tracing the history of the sustainable development idea in each country's national policy debate, this chapter shows that the overall pattern of the trajectories do differ from one another, particularly with regards to the degree of attention, institutionalization, the timing of actions, and the level of interest opposition. In the United States, on the one hand, the sustainable development trajectory has been full of ups and downs like a pendulum swinging back and forth with every change in executive power. In Germany, on the other hand, the policies based on the idea of sustainable development evolved accumulatively and the idea was slowly but surely institutionalized. As a result, Germany has a sustainable development policy regime, while the U.S. does not. These differences are at the heart of this research project as the central goal of this dissertation is to understand what factor or factors explain these diverging paths, or more broadly speaking what factors explain whether an idea gains traction in policymaking. Table 2.2 summarizes these two divergent patterns by highlighting the key steps in each country's sustainable development trajectory drawing particular attention to the critical junctures that significantly impacted and in some cases shifted

the path of the trajectory. While this chapter lays out the trajectory as a whole in a rather descriptive narrative, the in-depth chapters that follow take a deeper analytical look at the most important critical junctures in the German and American sustainable development policy trajectory, which I introduce in this chapter.

Finally, before jumping into the descriptive analysis of the sustainable development trajectory in the United States and Germany, it is important to note that looming over the national trajectories is a set of discussions and actions on the international stage, specifically at the United Nations, the European Union, and at non-governmental organizations. Therefore, this chapter also highlights the key international debates, events, and actions surrounding sustainable development. Table 2.1 summarizes these critical points of the international policy debate and policymaking as well as their impact on German and American policymaking. While the international sustainable development policy debate overall had a greater impact on German policymaking, it influenced the policy debate in both countries to some degree.

This chapter starts off with a look at the early environmental policy efforts in Germany and the United States in the 1960s, 1970s, and early 1980s that set the stage for sustainable development policymaking. Included in this assessment are initial references to the idea of sustainable development. Then, I shift to sustainable development policymaking at the international stage, which played a significant role in putting the idea on national policy agendas. Specifically, I focus on non-governmental organizations and international governmental organizations, i.e. the United Nations and the European Union. After this excursion, I discuss sustainable development policymaking in the United States and Germany from the early 1990s to the present. Throughout the chapter, I highlight the critical junctures in each country's

sustainable development trajectory, which then serve as the foundation for the in-depth chapters that follow.

Early Environmental Policy and Initial References to Sustainable Development

Even though some environmental concerns were already present in previous centuries as a look at the etymology of the term sustainability indicates,¹ it was not until the 1950s and 1960s that a comprehensive and international environmental movement emerged and with it the at times slow but continuous development of environmental policymaking. The emergence of environmental policy as a new area of policymaking is of significance because it provides the necessary political and historical context for issues of sustainability to arise in the public consciousness. Without at least some public awareness and concern, it would be unlikely that democratically elected politicians would put sustainability on their policy agenda. Following, I summarize early environmental policy in the United States and Germany.

United States

In the United States, environmental policymaking initially gained traction in the 1960s and 1970s. Rachel Carson's *Silent Spring*, which was first published in 1962, is widely credited for triggering an extensive and wide-ranging political debate about the environmental damage caused by economic activity. As a consequence of this debate, we see a period of environmental policy formation in the United States beginning in the 1950s and lasting throughout the 1970s. Starting with the Air Pollution Control Act (1955) in the 1950s to the Clean Air Act (1963), the

¹ The term originated from 18th century German forestry during a time when there were substantial concerns about an increasing demand for wood and a forest that could not reproduce as fast as the trees were cut down.

Solid Waste Disposal Act (1965), the Water Quality Act (1965), and the Air Quality Act (1967) in the 1960s and culminating in a series of extensive environmental legislation in the 1970s—including the National Environmental Policy Act (1970), which established the Council on Environmental Quality (CEQ). Then, in the first half of the 1970s, numerous pieces of environmental legislation were passed and signed into law, including the Federal Insecticide, Fungicide, and Rodenticide Act (1972), the Endangered Species Act (1973), the Safe Drinking Water Act (1974), the Hazardous Material Transportation Act (1975), and the Resource Conservation and Recovery Act (1976). By laying such a broad environmental policy foundation, the United States became an early leader and pioneer of environmental policymaking during this time period (Weiland, 2007, p. 100). But soon thereafter, the continued progress of environmental policy began to stagnate. According to environmental policy professor Judith Layzer, this is due to “the Republican Party’s anti-regulatory turn [which she] attributes to the influence of ‘a conservative coalition determined to free business of regulatory constraints’” (Adler, 2013, pp. 133-134). In his book *Right Talk*, political scientist Mark Smith makes a similar argument, but refers to the shift as a “right turn,” which began in the 1970s and “reoriented [American politics] around economic interpretations of issues” (2011, p. 17). Another explanation that adds an additional layer to the challenge of moving environmental policy forward is that once visible environmental pollution has been addressed, it becomes more difficult to keep up the pressure for further environmental regulations. This is the case because the remaining environmental problems that need to be addressed are much less visible than air pollution, for example.

Critical Juncture: The Global 2000 Report to the President

In 1977, on the heels of a period of successful and extensive environmental policymaking, the newly elected Democratic President Jimmy Carter commissioned *The Global 2000 Report to the President*, which was released to the public in 1980 after three years of comprehensive research. A team surrounding Dr. Gerald O. Barney conducted the research relying upon data from numerous governmental agencies. In the foreword to the report, which concluded that “if present trends continue, the world in 2000 will be more crowded, and more vulnerable to disruption than the world we live in today” (1980, p. 52), President Carter referenced sustainable development, which had yet to become a key policy idea. Carter notes, “this is what we can do collectively as men and women committed to sustainable development, to a better quality of life, for all those on Earth” (1980, p. xii). The political climate sharply turned away from the environment and toward the economy soon after the publication of the *Global 2000 Report to the President*. Nevertheless, the publication of the report represents a critical juncture in the trajectory of sustainable development in U.S. policymaking because it was the first time that a U.S. president mentioned the idea of sustainable development. Due to a combination of factors, including the economic malaise at the beginning of the 1980s and the shift in political power in both the executive and the legislative branch following the 1980 election, the publication of the report did not lead to the emergence of a sustainable development policy regime at that time, far from it. But it is still important to examine this critical juncture in more depth since the opponents of the *Global 2000 Report* used this opportunity to lay the ideational foundation for future opposition to sustainable development. I explore this critical juncture in depth in Chapter 3 of this dissertation.

Germany

In comparison to the United States, early German environmental policymaking² took a slower path. Interestingly, however, we first see the joining of economic and environmental concerns in Germany as early as 1952 when the inter-parliamentary working group for a sustainable economy was founded in the German Bundestag. Foreshadowing later policy debates including the *Brundtland Report*, the task of this working group was to promote conservation in tandem with economic development. The 200 members of the group were representatives of the federal government, the Bundestag, and state parliaments. Contrary to the broad mission that the name of the working group implies though, the main topic of concern was rather narrow, namely the Rhine bypass channel (Rosebrock, 2014).

Despite this first indication, it was not until the late 1960s and early 1970s that substantial environmental policy emerged in Germany. In 1969, the newly elected Brandt-Scheel governing coalition made up of Social Democrats (SPD) and Free Democrats (FDP) passed an immediate environmental action program. During the first part of the 1970s, environmental policy was on the rise in Germany. A variety of environmental laws were passed and environmental politics was institutionalized with the creation of various advising- and coordinating bodies. But starting in the mid-1970s, the blossoming environmental policymaking was stopped in its tracks because a counter-movement developed as a consequence of recessive economic development, which was initiated by the 1973 oil crisis. As the economy suffered, environmental policymaking lost ground.

² For a summary of German environmental policy see Jänicke, Martin (2009). “Geschichte der deutschen Umweltpolitik.” Bundeszentrale für politische Bildung.

While the initial phase of German environmental policymaking came from within the political system as a top-down initiative without significant direct pressure from external actors, a grassroots environmental movement began to develop in the mid-1970s. Part of its objective was to push the new Social Democratic government under the leadership of Helmut Schmidt to implement the environmental legislation of the preceding governing coalition, which the Schmidt government had moved away from due to objections by leading industry representatives and a worsening state of the economy (Jänicke, 2009). It was in the late 1970s that “Green” parties encountered success in various regions of Germany.³ And in 1980, the German environmental movement became institutionalized through the founding of the national Green Party, which grew out of a grassroots movement. Public discussion and awareness surrounding environmental issues increased and in 1983 the Green Party clinched the critical 5 percent hurdle to get into the Bundestag for the first time and has since been a continuing presence in the German parliament.

Environmental protection was further institutionalized with the creation of the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety in 1986. It is worthwhile to note that the nuclear reactor catastrophe in Chernobyl earlier that year was an external shock that had put further pressure on German policymakers to respond to citizen concerns about nuclear power specifically and environmental policy more broadly. In summary, during the early phase of German environmental policy formation, the initial policy impulses came from the national government. When the national government began to slow its environmental policymaking, renewed pressure came from the grassroots environmental movement that was institutionalized with the emergence and success of the Green Party during the early 1980s.

³ For example, in Lower Saxony (3.9% in 1978 election), Hamburg (3.5 and 1.1% in 1978 election), Berlin (3.3% in 1979 election), and Bremen (5.1% in 1979 election).

Summing Up

As the information above illustrates, there have been some sporadic and insular policy discussions touching upon sustainable development at the national level during the formative phase of environmental policymaking in both the United States and Germany. But it was in the late 1980s that the idea received a substantial push from the international stage, in particular from the United Nations. Therefore, the next section discusses the international efforts to address sustainable development as they serve as a backdrop to the national policymaking efforts that followed these critical international endeavors.

The Development of Sustainable Development as a Key International Policy Principle

As noted, before moving on to continue the examination of the German and American trajectory of sustainable development in the 1990s and beyond, it is necessary to interject a brief excursion to the international stage. This is necessary because the events that took place on the international stage during the late 1980s and early 1990s, particularly the publication of the United Nation's *Brundtland Report* (1987) as well as the 1992 Rio Conference, put the idea of sustainable development on the policy map and shaped subsequent national sustainable development policy debates—though some more so than others. This intensive focus of attention on sustainable development at the international stage impacted the trajectory of the idea in both Germany and the United States, but it had a greater impact on the former. Because international sustainable development policymaking was so influential, it is necessary to examine it some detail. Table 2.1 summarizes the key international events and their impact on German and American policymaking; and in the following section, I briefly discuss the most important events

Table 2.1: Impact of International Sustainable Development Policy

International Stage	Year	Policy Impact	
		Germany	United States
Founex Report calls for integration of environmental & development strategies	1971		
Club of Rome published “The Limits to Growth”	1972		
International Union for Conservation of Nature and Natural Resources’ “World Conservation Strategy” first mentions term “sustainable development”	1980		
Creation of UN World Commission on Environment and Development (WCED)			
Publication of “Our Common Future” by UN’s Brundtland Commission	1987		
Conference on the Environment and Development (Rio Conference) – Framework Convention on climate change, Rio Declaration, Agenda 21 (UN’s sustainable development action plan)	1992	Germany signed Agenda 21	G.H.W. Bush signed Agenda 21
UN Commission on Sustainable Development established			United States House of Representatives Concurrent Resolution 353, called for US leadership in implementation of Agenda 21
EU Maastricht Treaty			President Clinton established the President’s Council on Sustainable Development (PCSD) in 1993, which was in place until 1999. No lasting institutionalization at the executive level.
EU Treaty of Amsterdam	1997		
EU sustainable development strategy launched	2001		
UN World Summit on Sustainable Development established Millennium Goals	2002	Germany submitted its national sustainability strategy “Perspectives for Germany – Our Strategy for Sustainable Development”	
Rio+ Conference – UN Commission on sustainable development was replaced by high-level political forum	2012		Republican National Committee adopted resolution opposing Agenda 21

that launched the international sustainable development debate starting with a discussion of international non-governmental organizations and then moving on to international governmental organizations, namely the United Nations and the European Union.

International Non-Governmental Organizations

While the German government of the 18th century played a key role in first establishing the idea of sustainable development as a policy concept, international non-governmental organizations played a significant role in putting the idea back on the policy map during the 1960s and 1970s. Before the United Nations began to incorporate sustainable development in its policymaking, the principle as well as related ideas emerged in policy discussions within international non-governmental organizations, such as the Club of Rome, the Founex group, and the International Union for Conservation of Nature and Natural Resources. On one side of the debate were those who advocated for limiting economic growth to protect the environment. On the other side were those who argued that economic development, i.e. growth, can go hand in hand with environmental protection, i.e. sustainability. With the establishment of sustainable development as a key principle, the latter argument won the day.

Early on, the debate focused less on the possibility of accomplishing sustainable development and more on the impossibility of achieving both sustainability *and* development. Numerous academics stressed an increasingly dire environmental situation in the 1960s (e.g. Carson, 1962; Ehrlich, 1968). Towards the end of the 1960s, in 1968, a global think tank named the Club of Rome was founded. Four years later, in 1972, the think tank published the first computer-based global study titled “The Limits to Growth,” which interestingly was funded by the foundation tied to the German automaker Volkswagen. As indicated, this study did not

advocate for sustainable development. Instead, it sought to assess how economic growth interacts with environmental pollution and natural resource depletion and the authors conclude that economic growth had natural limits: “Short-term concerns will generate the exponential growth that drives the world system toward the limits of the earth and ultimate collapse” (Meadows et al., 1972, p. 184). Thus, a “transition from growth to global equilibrium” is needed and while “deliberately limiting growth would be difficult,” the authors argued, it would “not [be] impossible” (Meadows et al., 1972, p. 180 & 183).

The idea of sustainable development can be viewed as a response to the arguments made by the authors of “The Limits to Growth” and other academics who criticized the environmental costs of economic activity during the 1960s and 1970s (e.g. Ward & Dubos, 1972). Instead of pitting growth against sustainability, advocates of sustainable development argue that we can have both growth *and* sustainability. For example, in 1971, a panel of experts met and prepared the so-called *Founex Report* named after their meeting location, Founex in Switzerland. The report “calls for the integration of environmental and development strategies” (International Institute for Sustainable Development, 2014). Instead of criticizing the environmental costs of development, the *Founex Report* notes, “the kind of environmental problems that are of importance in developing countries are those that can be overcome by the process of development itself” (De Almeida, 1972, p. 1). Thus, the essential assumption of the report is that it is possible and necessary to pursue economic development and to protect the environment at the same time, which represents the underlying ideational foundation of sustainable development. So even though the report did not explicitly mention the concept of sustainable development, it represents an important step in the shift towards connecting the idea of sustainability with economic development.

It was the International Union for Conservation of Nature and Natural Resources' (IUCN2) 1980 *World Conservation Strategy* that first mentioned the term sustainable development, and it did so in a prominent place as the strategy was subtitled "Living Resource Conservation for Sustainable Development." As political scientist John McCormick notes, the publication of this strategy indicated multiple significant changes in the conservation movement: "It marked a shift from the traditional focus on cure rather than prevention" and "it confirmed a growing belief that the assimilation of aims of both conservation and development was the key to a sustainable society" (McCormick, 1986, p. 177). Founded in 1948, IUCN2 is a democratic membership union that is comprised of thousands of scientific experts and non-governmental as well as governmental organizations from across the world "to help the world find pragmatic solutions to our most pressing environmental and development challenges" (International Union for Conservation of Nature and Natural Resources, 2015). The work of international non-governmental organizations, such as the IUCN2, and experts, like those who met in Founex, laid the groundwork and provided the intellectual foundation for the establishment of sustainable development strategies by international governmental actors such as the United Nations and the European Union.

International Governmental Organizations

While international non-governmental organizations laid some of the ideational groundwork for sustainable development early on, it was the policy actions of international governmental organizations that had a significant impact on national policymaking. Particularly the actions of the European Union bound its member states, including Germany. Overall, it is difficult to imagine the place that the idea of sustainable development would occupy in the

national policy debates of both countries without the external agenda setting power of the United Nations and the European Union originating from the international policy sphere.

United Nations

When it comes to sustainable development, there is little debate about the fact that the most significant policy impulse came from the United Nations (U.N.). The U.N. held its first conference on environmental protection in Stockholm, Sweden in 1972, which marked a critical step in the establishment of the organization's environmental policy. Eight years later, in 1980, the U.N. created the World Commission on Environment and Development (WCED) to address increasing environmental concerns. Soon thereafter, the WCED established the Brundtland Commission, which was headed by the Norwegian prime minister Gro Harlem Brundtland, to develop policy recommendations for accomplishing lasting development. After four years of meetings and research, the commission published its report entitled *Our Common Future*, which is also commonly referred to as the *Brundtland Report*, in 1987. The report is widely regarded to be the keystone of sustainable development as a global policy principle. This assessment is reinforced by the fact that the report mentions the concept 189 times. In her memoir, Brundtland notes the importance of changing the environmental thinking away from a “‘clean-up-once-the-damage-is-done’ policy” and towards an integrated approach that considers the environmental impact at all policy stages and political levels (2002, p. 195). This change of focus, she argues, was what the commission sought to accomplish keeping in mind that “economic policy is the real and substantive environmental policy” (Brundtland, 2005, p. 195). It is also noteworthy that the report describes sustainable development as a “goal not just for the ‘developing’ nations, but for industrial ones as well” (Brundtland Commission, 1987, p. 13). Furthermore, the commission

considers “zero growth,” which falls more in line with the Club of Rome’s “The Limits of Growth” study, to be “totally wrong” (Brundtland, 2005, p. 217). Thus, the goal was to achieve continuous economic growth while protecting the environment across the developed as well as the developing world. This objective is in line with earlier publications, such as the *Founex Report* (1972) and the *World Conservation Strategy* (1980), but the publication of the U.N.’s *Brundtland Report* lifted this argument up to a higher level.

In addition to the *Brundtland Report*, the 1992 U.N. Conference on the Environment and Development, which has also been referred to as the Earth Summit or the Rio Conference, has been a critical step in the creation of sustainable development as an international policy principle and goal. The conference was held in Rio de Janeiro, Brazil, and resulted in: 1) the establishment of the U.N. Framework Convention on Climate Change (UNFCCC),⁴ which is a treaty that was signed and ratified by both the U.S. and Germany; 2) the Rio Declaration on the Environment and Development, which reaffirmed and built upon the 1972 Declaration of the U.N. conference on the environment; and 3) the so-called Agenda 21, which is the U.N.’s sustainable development action plan. The idea of sustainable development is at the heart of these international policy documents. The Rio Declaration, for example, proclaims that “[s]tates should cooperate to promote a supportive and open international economic system that would lead to economic growth and *sustainable development* in all countries, to better address the problems of environmental degradation” (Rio Declaration, Principle 12, Emphasis added). Interestingly, the declaration also calls upon states not only to “reduce and eliminate unsustainable patterns of production and consumption [but also to] promote appropriate demographic policies” to achieve sustainable development, the latter of which has been a point

⁴ No binding limits on greenhouse gas emissions.

of major contention in the U.S. (Rio Declaration, Principle 8). Furthermore, the U.N.'s Agenda 21 stresses that “sustainable development should become a priority item on the agenda of the international community” (1992: 2.1), which is underscored by sustainable development being mentioned 162 times in the non-binding action plan.

To ensure the implementation and follow-up of the Rio Conference, the U.N. General Assembly created the U.N. Commission on Sustainable Development in late 1992. Starting in 1993, this commission held annual sessions and U.N. member countries were expected to write reports to demonstrate the progress they have made towards implementing the Agenda 21 action plan. Ten years after the Rio Conference, in 2002, the U.N. held a World Summit on Sustainable Development (WSSD) in Johannesburg, South Africa. The 2002 conference established the U.N. Millennium Goals, which include ensuring environmental sustainability (Goal 7). Another ten years later, in 2012, the U.N. held its third conference on Sustainable Development, generally known as Rio+20, in Rio de Janeiro, Brazil. The institutional result of this conference was that member states voted to replace the Commission on Sustainable Development with a high-level political forum on sustainable development, which was done to strengthen the U.N.'s sustainable development governance (United Nations, 2015).

Overall, both the *Brundtland Report* as well as the Earth Summit and its follow-up conferences, contributed to the anchoring of sustainable development as a normative guiding principle of international policymaking and thereby pushed the idea onto national policy agendas and helped it to gain traction. As countries participated in international conferences and as their representatives negotiated treaties, they were forced to develop a policy response. It is important, however, to consider the origin of this policy impulse, as it is conceivable and likely that the source of the message—the source being the United Nations and the message being sustainable

development as a policy principle—will color the response in one way or another. Therefore, it is important to understand not just the sustainable development policymaking at the U.N., but also the way national policymakers and publics perceive the institution. Based on a 2013 Pew survey, the support for the UN is slightly higher among Germans than Americans. According to their data, 65 percent of Germans have a favorable view of the U.N. compared to 58 percent of Americans (Pew, 2013a). In 2006, the difference was even more pronounced as only 51 percent of Americans and 68 percent of Germans were favorable of the U.N. (Pew, 2006). Not surprisingly, the support for the U.N. in the U.S. can be broken down by two key variables: ideology and age. The more liberal and young Americans are, the more likely they are to support the U.N. (Pew, 2006, 2013a). Overall, the way the American political system works further enhances the contrast between those who support the U.N. and those who oppose it. A large academic literature on political polarization in the United States captures various explanations for why American politics is so polarized, such as the move to democratic primaries in the late 1960s and early 1970s, the gerrymandering of congressional districts, and the impact of fundraising on politics.

European Union

In addition to policy impulses from the UN, German policymaking is also affected by environmental policy at the European level. Thus, it is necessary to provide some background on European sustainable development policy. Three years after the 1970 European Nature Conservation Year, the European Environmental Action Program launched. This program represented the first attempt of an integrated environmental policy for the European Economic Community (EEC). Particularly significant as a catalyst for sustainable development was the

1992 Maastricht Treaty in which the European community of states obligated itself to accomplish “a sustainable and non-inflationary growth respecting the environment” and to “promote economic and social progress which is balanced and sustainable” (Maastricht Treaty, Art. B & G(2)). As noted by Gehring and Cordonier Segger, the Maastricht Treaty is of significance because it represents the first time that a constitutional text contained an “expressed reference to sustainable development” (2005, p. 421): “The [European] Community shall have as its task [...] to promote throughout the Community a harmonious and balanced development of economic activities, sustainable and non-inflationary growth respecting the environment.” (Article 2, 11)

The 1997 Treaty of Amsterdam then further anchored sustainable development as a fundamental policy goal of the European Union: “Environmental protection requirements must be integrated into the definition and implementation of Community policies and activities [...] in particular with a view to promoting sustainable development” (Art. 3(c) EC, now Article 6 EC). These treaties provide the legal foundation for the EU sustainable development strategy, which was launched by the European Council in Gothenburg, Sweden, in 2001 and renewed in 2006. Shortly after its renewal, the commission’s staff published the EU sustainable development indicators in its working document entitled “Progress report on the European Union sustainable development strategy 2007.” Thereafter, the commission published multiple monitoring reports (2009, 2013).

When considering the impact of the EU sustainability policy on German politics, it is important to keep in mind how the German public perceives the EU as an institution because this is a factor that may influence the willingness of German politicians to implement such policies at the national level. Of course, the perception of the EU is relevant for Germany, not the United

States. Among European countries, Germany has particularly favorable views towards the European Union. According to a recent Pew survey, 66 percent of Germans have a favorable view of the EU (Pew, 2014). A 2013 Pew report views “Germans [to be] on [a] different continent” in comparison with the rest of Europe when it comes to the perception of the EU: While 54 percent of Germans believe that their country is strengthened by the EU integration, only 26 percent of the rest of Europeans believe the same for their country (Pew, 2013b). Similarly, while 60 percent of Germans viewed the EU favorable in 2013, among other Europeans only 43 percent did (Pew, 2013b).

Summing Up

This policy debate at the international stage is looming over national policymaking. International non-governmental organizations played a critical role in initiating the debate surrounding sustainable development. Thereafter, international governmental organizations, foremost the United Nations and the European Union, elevated the status of the idea to that of a key international policy principle. It was the United Nations in particular, with its *Brundtland Report* and Rio Conference, that cemented the new status of the idea in international policymaking. Although the actual power of the UN to determine and push for certain policies at the national level, i.e. within its member states, is very limited—more so than that of the European Union—, its actions have agenda setting power. But ultimately, the UN depends on its member states to be receptive to its policy recommendations. Following, I lay out the sustainable development policy trajectory in Germany and the United States ensuing these critical international policy actions, which illustrates how receptive these two countries have been to implementing sustainable development as a key policy principle.

Table 2.2: National Trajectories of Sustainable Development

Germany	Year	United States
Inter-parliamentary Working Group for a sustainable economy was founded in Bundestag.	1952	
	1980	In <i>The Global 2000 Report to the President</i> , President Jimmy Carter mentioned sustainable development.
Green Party clinched 5 percent hurdle to make it into the Bundestag for the first time.	1983	
Bundestag Committee of Inquiry on the “Protection of Humanity and the Environment” was created after petition of Social Democrats.	1991	
	1992	House Concurrent Resolution 353 called for US to assume strong leadership in sustainable development
	1993	President Bill Clinton established the President’s Council on Sustainable Development , which was in place until 1999.
Green Party was the first to mention “sustainability” in their party platform. Other major parties followed their lead later on.	1994	
	1996	President Clinton created the Interagency Working Group on Sustainable Development Indicators.
Green Party and Social Democrats build a coalition. For the first time, the Greens fulfill the role of governing party. This so-called red-green coalition was in office until 2005.	1998	
Council for Sustainable Development & State Secretary Committee for Sustainable Development were established.	2000	
	2001	George W. Bush took office as president, which led to deemphasizing of sustainable development.
Adoption of national sustainability strategy. Progress reports based on sustainability indicators are published every two years.	2002	
Parliamentary Advisory Board for Sustainable Development was established.	2004	
	2009	With the election of Barack Obama and his signing of Executive Order 13514 , the new administration focused on resilience —both climate change resilience and threat resilience.

Sustainable Development After the *Brundtland Report* & the Rio Conference

Following these actions at the international stage, sustainable development policymaking at the national level picked up some speed. This is not surprising given that the UN, with its policy actions, put the idea of sustainable development on the policy agenda of its member states. However, the two countries differ in how receptive they have been to incorporating the idea as a policy principle. In particular, the two countries' trajectories vary in the degree of attention they have given to the idea, the timing of their actions relating to it, and the level of institutionalization that has taken place. Subsequently, I summarize the trajectory of sustainable development first in the United States and then in Germany beginning in the early 1990s. I highlight several critical junctures in the two trajectories and explain their importance. Each of these critical junctures is subject to an in-depth analysis in the substantial chapters that follow.

United States

In the early 1990s and particularly with the election of Bill Clinton, we see sustainable development play an increasingly important role as a policy idea in the United States. Just before the presidential election in 1992, the Democratically-controlled House of Representatives passed H.Con.Res. 353, a concurrent resolution calling for the U.S. to assume a strong leadership role in implementing the sustainable development recommendations of the Rio Earth Summit that took place just a few months prior. The House held a debate on the resolution and passed it with a two-thirds majority on October 2nd, 1992. Among other things, the resolution challenged the executive branch to adopt “a national strategy for environmentally sustainable development” and to “establish[...] an effective mechanism to plan, initiate, and coordinate U.S. policy for implementing Agenda 21” (H.Con.Res.353, 1992). Given that the Senate did not adopt the

resolution and that even if it did, it would have lacked the force of law, the impact of this concurrent resolution on policymaking was very limited.

Critical Juncture: The President's Council on Sustainable Development

During his presidency, Bill Clinton attempted to incorporate sustainable development into U.S. policymaking, but ultimately his actions lacked staying power. In the first year of his presidency, Clinton formed the Office of Environmental Policy within the Executive Office of the President, which was meant to ensure that environmental considerations are incorporated into his administration's policies. Additionally, Clinton created the Clinton-Gore Climate Change Action Plan (CCAP). Most important in regards to sustainable development, however, was the President's Council on Sustainable Development (PCSD), which he established to advise him on sustainable development and to "develop and recommend to the President a national sustainable development action strategy that will foster economic vitality" (Executive Order 12852, 1993). The establishment of this council represents a critical juncture in the trajectory of sustainable development in the U.S. because it represents the first attempt by an American president to establish an institutional structure at the national level to address sustainable development. The PCSD was in place throughout most of Clinton's presidency, specifically from 1993 to 1999. It sought to create a consensus among a broad variety of stakeholders by establishing task forces as well as holding regular meetings and workshops. The council published numerous reports to summarize its progress towards incorporating sustainable development as a national policy principle. The PCSD can be regarded as Clinton's attempt to "establish[...] an effective mechanism to plan, initiate, and coordinate U.S. policy for implementing Agenda 21" as requested by the House of Representatives in its Concurrent Resolution 353 in 1992. Of course,

the degree to which the council exemplified an effective mechanism is a matter of debate that I will address in chapter 6.

In addition to establishing the PCSD, Clinton also created the Interagency Working Group on Sustainable Development Indicators (SDI Group) in 1996 following the PCSD's report entitled "Sustainable America: A New Consensus" (March 1996). The working group, which reported to the Council on Environmental Quality, developed a set of experimental national sustainable development indicators to measure progress towards sustainable development in the United States. However, the indicators were never adopted.

Critical Juncture: Interest Pushback during George W. Bush Presidency

With George W. Bush taking the office as president in 2001, we see a substantial change in the role of sustainable development in the national policy discussion. The fact that the institutional structure that President Clinton put in place to address and accomplish sustainable development was only temporary aided this sharp turnaround. Under Bush, sustainable development ceased to be a policy focus within the Executive Office of the President. Not surprisingly, the President's Council on Sustainable Development was not carried over to the new administration. In line with this sharp turn away from sustainable development, the U.S. president also did not attend the 2002 U.N. Summit on Sustainable Development in Johannesburg, South Africa. This retrenchment of sustainable development policymaking under President Bush may have been facilitated by the substantial pushback against the idea from interests. Interests opposing sustainable development had substantial influence within the Bush White House.

In terms of general environmental policy, we do see President Bush take some climate change action. In his first year in office, Bush announced the Climate Change Research Initiative (CCRI) as well as the National Climate Change Technology Initiative. Two years later, in 2003, he proclaimed the Climate VISION program and the Healthy Forest Initiative. However, under Bush, the U.S. also withdrew from the Kyoto Protocol arguing that it would hurt the economy (Associated Press, 2005). And according to media reports, there were also concerns about links between the Council on Environmental Quality (CEQ) and the energy industry, specifically the oil industry, under President Bush (Harrabin, 2006).

The rollback of sustainable development policymaking under President George W. Bush is a critical juncture since it—in combination with the actions taken by President Clinton—reflects the back and forth of sustainable development policy in the United States. Of particular importance during this period was the coalition between the interests opposing sustainable development and the Bush administration. Together, they prevented sustainable development policymaking from moving forward and retracted the progress that had already been made under President Clinton.

Critical Juncture: President Obama's Effort to Establish a Resilience Policy Regime

Following eight years of conservative leadership in the White House, which stressed neoliberal arguments and disregarded sustainable development, President Obama entered office in 2009. Although it seemed as if sustainable development was bound for a comeback, the idea moved to the backburner under President Obama, who instead heavily advocated for resilience. This idea was not entirely new in U.S. national policymaking, but it gained a substantial amount of traction under President Obama. The administration defined resilience as the “ability to

anticipate, prepare for, and adapt to changing conditions and withstand, respond to, and recover rapidly from disruptions” (Executive Order No. 13653, 2013). To incorporate resilience into the work of the federal government, President Obama established an institutional structure to address the idea. The newly created institutional entities fit into two categories, those that focused broadly on threat resilience and those that concentrated on climate change resilience. The former category included the Hurricane Sandy Rebuilding Task Force and the Mitigation Framework Leadership Group, while the latter consisted of the Interagency Climate Change Adaptation Task Force, the Council on Climate Preparedness and Resilience, and the President’s State, Local, and Tribal Leaders Task Force on Climate Preparedness and Resilience. In its attempt to build an institutional structure to promote resilience as a cornerstone of the risk-reduction efforts of the federal government as well as communities nationwide, the Obama administration worked hard to link climate resilience with threat resilience, thereby entangling the two politically.

Congress, however, was only supportive of threat resilience and in opposition to climate resilience, which was illustrated by Congress’ disjunctive embracement of resilience. While Congress passed a substantial amount of resilience legislation, particularly related to hazard mitigation, congressional Republicans clearly oppose climate resilience. The result was the emergence of an executive driven climate change regime of limited durability and a stronger executive and Congressional basis for a regime around natural hazards and other extreme event resilience. Thus, there is a different outcome for climate resilience than for threat resilience. Ultimately, President Obama’s effort to establish a resilience policy regime represents a critical juncture because it illustrates that although resilience constitutes a different approach to similar policy problems as sustainable development, resilience—when it is defined to include climate resilience—faces the same hurdles as sustainable development.

Summing Up

In summary, the ideational trajectory of sustainability in the United States post-*Brundtland Report* has taken quite a few major turns. While the idea became a central focus of policymaking during the Clinton years as he established the President's Council on Sustainable Development, it lost momentum under President Bush. Not only did he not make sustainable development a key policy priority, interests opposing the policy idea had substantial influence within his administration. Finally, the Obama administration focused on a different ideational framing, namely resilience, which emphasized the potential policy solutions in lieu of the policy problem. This illustrates the ups and downs of sustainable development policymaking in the United States. The pendulum swings back and forth with every new presidential administration. The nascent sustainable development policy regime established under President Clinton, for example, was stopped in its tracks with the election of President Bush. As a consequence of the back and forth and the substantial interest opposition to the idea, U.S. policymaking is marked by the absence of a sustainable development policy regime to this day.

Germany

The trajectory of sustainability in Germany since the early 1990s is characterized less by major twists and turns—as seen in the U.S. case—and more by a continuous progression that slowed down and sped up at different points in time. The accumulative evolution of the German sustainable development policy regime ultimately led to the institutionalization of the idea and the alignment of the major interests in support of it. In contrast to the U.S., we see a rather one directional trajectory that lacks the clear policy turns and the strong interest opposition that we

see in American policymaking. The result is the establishment of a robust and durable sustainable development policy regime.

After the publication of the *Brundtland Report* in 1987, the discussion and implementation of sustainable development in Germany initially got off to a rather slow start—arguably at least in part as a consequence of the German reunification, which shifted the policy priorities towards the economy and away from environmental protection. In addition, the positive effects of early environmental policy also reduced the pressure for further environmental protection. If the air and water are not visibly polluted, there is less public awareness of environmental problems and consequently less pressure from the public to address them.

Initial policy impulses for sustainable development in the early 1990s came from opposition parties. Of course, since its emergence in the late 1970s, the Green Party stressed environmental policy as its defining theme. In their 1980 campaign platform, for example, the Greens stressed “environment and nature” as one of their four pillars and described their political fundamentals as first and foremost oriented towards ecology (Die Grünen, 1980, p. 2). Following their emergence from the 1970s environmental movement, the Greens continued to make environmental policy a party priority and in 1994, they first mentioned “sustainability” as an environmental policy idea in their party platform thereby making it part of their official policy priorities (Die Grünen, 1994, p. 2): “We want an economic policy that is bound to the principle of sustainability,” they noted in a section that heavily focused on the idea of an ecological economy, which is at its root deeply intertwined with the concept of sustainable development. The Greens’ focus on sustainable development as one of their key policy ideas was further reinforced in their 1998 party platform, which included a separate chapter on sustainable economy and mentioned the term “sustainable” fifty-four times (Die Grünen, 1998).

However, the Green Party was not the only party pushing the idea of sustainable development onto the national policy agenda during the early 1990s. The Social Democrats, also an opposition party at the time, petitioned the 12th Bundestag in 1991 to create a committee of inquiry on the “Protection of Humanity and the Environment.” The subtitle of the committee’s name included the word “sustainable” as it read: “Evaluation criteria and perspectives for environmentally sustainable material cycles in the industrial society.” Despite being initiated by one of the opposition parties, the Bundestag did appoint the committee in early 1992. Constituted of members of the Bundestag as well as external experts, the committee published its interim report in 1993 and its final report, which included management rules for sustainable development, in 1994. Through its reporting, the committee of inquiry also recommended to continue researching the issue of sustainable development in the following legislative period (Industrie- und Handelskammer Nürnberg für Mittelfranken, 2015a). Almost all of the parties in the 13th Bundestag supported the committee in this assessment and consequently created another committee of inquiry for the “Protection of Humanity and the Environment” in 1995. This second committee of inquiry was tasked with assessing the basic conditions needed for sustainable development as well as defining goals to accomplish it. The committee concluded that sustainable development has three dimensions—an ecological, an economic and a social dimension. These three dimensions, the committee argued, need to be integrated instead of being considered separately (Industrie- und Handelskammer Nürnberg für Mittelfranken, 2015b). Particularly the work of this second committee of inquiry was critical in defining the idea of sustainable development in German policymaking and establishing broad policy goals for sustainable development. All together the Bundestag’s committee of inquiry “Protection of Humanity and the Environment” was in place and researched sustainable development for two

legislative periods that spanned the years from 1992 to 1998. It was critical that all parties that were in the Bundestag at the time were involved in this process as a majority of them voted to create and extend the committee and as members of all parties were represented on the committee. This represents a stark contrast to U.S. policymaking, where most Democrats advocate for sustainable development and most Republicans oppose it.

The study of sustainable development undertaken by these legislative committees of inquiry was further reinforced by the work of the German Advisory Council on the Environment, an academic advisory body of the German federal government created in 1971. The council has seven members, all of whom are professors from a variety of disciplines. The Federal Ministry for the Environment, Nature Conservation and Nuclear Safety appoints the members to four-year terms with the approval of the federal government. It should be noted that this advisory council independently decides its topical priorities (Sachverständigenrat für Umweltfragen, 2008). In its 1994 report, the council focused on the establishment of sustainable development as a general principle. The report's preface states that its goal is to reflect on the methodological foundation for the implementation of the general principle of sustainable development (Sachverständigenrat für Umweltfragen, 1994, p. 3). The council's next report two years later, in 1996, concentrated on the practical aspects of implementing sustainable development and the 1998 report discussed sustainability indicators (Sachverständigenrat für Umweltfragen, 1996, 1998; Industrie- und Handelskammer Nürnberg für Mittelfranken, 2015c).

Both the Bundestag's committees of inquiry on the "Protection of Humanity and the Environment" and the German Advisory Council on the Environment addressed the issue of sustainable development before the establishment of Germany's national sustainability strategy. Therefore, their work may be viewed as the foundation for the development of the national

sustainability strategy. We may conceive of the 1990s as a formation phase for the idea of sustainable development in German policymaking. Yet, while German politicians, along with national politicians around the world, faced pressure from the UN after its 1992 Earth Summit to develop a national sustainability strategy—though arguably the UN does not have much power to pressure its member states—, the German sustainability strategy was not adopted until 2002.

Critical Juncture: The Institutionalization of Sustainable Development

Towards the end of the 1990s, a significant break in national politics moved environmental concerns up further on the national policy agenda as the 1998 national election resulted in the first ever national, governmental coalition between the Social Democrats and the Greens. As part of the governing coalition, the Greens pushed for the nuclear power exit, renewable energy, and an ecological tax reform. It also speaks volumes that the two parties included the idea of sustainable development as well as a reference to the U.N. Agenda 21 on the very first page of their coalition contract: “[Among others] the global challenges of sustainable development as described in the Agenda 21 constitute the frame of action for German politics” (1998, p. 1).⁵ Thus, sustainable development was clearly a policy priority for the new governmental coalition. This assessment was further reinforced by the fact that in 2001, just a few years after taking office, the so-called red-green coalition established the German Council for Sustainable Development and the State Secretary Committee for Sustainable Development.⁶ The council was put in place to provide external expertise and advise the government on issues relating to sustainable development. The fifteen members of the council, which was established

⁵ German original quote: “die globalen Herausforderungen einer nachhaltigen Entwicklung, wie sie in der Agenda 21 beschrieben sind, bilden den Handlungsrahmen auch für die deutsche Politik”

⁶ German names: Rat für Nachhaltige Entwicklung & Staatssekretärsausschuss für nachhaltige Entwicklung.

in 2001, come from a variety of societal groups, including religious and environmental organizations, business, and academic institutions, and are appointed to three-year terms by the chancellor. The selection of the members is based on the three dimensions of sustainability: the economic, environmental, and social dimensions. The State Secretaries Committee for Sustainable Development is the government's second highest decision-making body for sustainable development. Thus, it is the decision-making body where all of the information converges. State secretaries from each federal ministry make up the committee and anchor the principles of sustainable development in their ministries.

In 2002, just one year after the creation of the Council for Sustainable Development, the federal government adopted the national sustainability strategy "Perspectives for Germany." The German national sustainability strategy develops "a vision for the future of our country" based on four categories: 1) generational justice, 2) quality of life, 3) social cohesion, and 4) international responsibility. Based on these categories, the government defines priorities and goals. The German Federal Chancellery is in charge of revising the national sustainability strategy and producing progress reports. The progress assessment is based on a broad variety of indicators that are designed to measure the four categories stated above. The Federal Statistical Office is charged with keeping track of these indicators. To do that, it publishes monitoring reports every two years.

The institutional infrastructure for sustainable development was further strengthened by the appointment of the Parliamentary Advisory Board for Sustainable Development in 2004, which has since been a continuing presence. According to its own assessment, its work is meant to firmly anchor the idea of sustainability within the political and societal foundation of Germany

(Deutscher Bundestag, 2015).⁷ The work of the advisory board is generally oriented towards overarching policy and consensus building since the issue it addresses goes beyond day-to-day politics. Made up of 22 full members and 22 substitute members, the advisory board provides a parliamentary dimension to the national sustainability strategy and is tasked with evaluating the federal government's sustainability impact assessment.

The establishment of this extensive institutional structure to incorporate the idea of sustainable development into German policymaking following the 1998 election and the first ever governing coalition between Social Democrats and the Greens has led to substantial continuity despite the change in governmental leadership that took place in 2005. None of the institutional bodies that were created during the red-green coalition period (1998-2005) were abandoned once the Christian Democrats along with the Social Democrats took over the reins. This period of institutionalization constitutes a critical juncture within the German sustainable development trajectory even though it does not represent a sharp turn from the policy actions of the previous governing coalition. Instead, this period is significant because the government established all major permanent sustainable development institutions during that time. Along with interest support and the idea itself, the institutional structure is one of the three critical components of a policy regime. Because the institutional structure plays such a critical role, I analyze the development of this institutional structure in depth in chapter 7.

⁷ German quote: *“Seine Arbeit dient dazu, die Idee der Nachhaltigkeit fest im politischen und gesellschaftlichen Fundament zu verankern.”*

Critical Juncture: The German Sustainability Code

In addition to establishing an institutional structure to address and implement sustainable development, the German government created a sustainability code as a concrete policy action to encourage sustainable economic activity. The sustainability code is a tool for companies and other organizations to report on the non-financial aspects of their work. The creation of the sustainability code was initiated by the Council for Sustainable Development in the late 2000s. But instead of developing the code on its own, the government instituted a multi-stakeholder process engaging a broad range of interests from the very beginning. This strategy provided a strong foundation of interest support particularly from those companies that would later rely upon the sustainability code to report on their societal and environmental impact. Though the code is a voluntary instrument, it is a rather successful one. By March 2017, a total of 189 companies have used the code and submitted a total of 369 reports.

The creation of the sustainability code is a critical juncture for the establishment of the German sustainable development policy regime because it brings a broad range of interests into the process and aligns them in support of sustainability policy. The companies that have invested time into the process of creating the code have a stake in it. And by participating in the process of creating the code, the involved actors are also brought together to agree on a shared understanding of the underlying idea. Specifically, the process brought them together to agree on how to best implement the code. Consequently, by bringing these interests together and engaging them in the process, the government strengthened the sustainable development policy regime.

Summing Up

As a look at these German policy actions post-*Brundtland Report* illustrates, the evolution of sustainable development in Germany has been much more linear and accumulative than that in the United States. While already in place before the 1998 election, the results of that election sped up the process of institutionalizing the idea of sustainable development within German policymaking. Thus, this period of rapid institutionalization represents a critical juncture in the German sustainable development trajectory. The creation of the German Sustainability Code is another critical juncture. By relying upon a multi-stakeholder process to create this code, the government brought key interests on board thereby increasing its chances for success. Both of these critical junctures were pivotal for the successful establishment of the German sustainable development policy regime.

Conclusions

It is crucial to consider the trajectory of sustainable development and its history when thinking about how ideas evolve and are institutionalized. Without considering this trajectory, it is not feasible to understand why a policy regime might exist in one national context but not in another. Taking a historical approach to the study of policy regime development enables us to assess which factors impacted the evolution of a policy idea at different points in time. This can be done by tracing the three policy regime components—the ideational foundation, the institutional structure, and the interest alignment—over a certain period to then evaluate where the potential policy regime fell short or if it did not, at what point we can speak of a policy regime. The idea of sustainable development, which is the focus of this dissertation, has two very

different trajectories in the two cases under investigation. Not surprisingly, these two dissimilar trajectories led to two antithetic outcomes.

As this chapter illustrates, the trajectory of sustainable development in Germany differs from that in the United States in terms of the degree of attention given to the idea, the level of institutionalization, and the timing of policy actions. The trajectory of sustainable development in Germany, on the one hand, resembles a continuous progression with some slowdowns, but no complete turnarounds or changes in direction. The result of the accumulative evolution is a robust and durable sustainable development policy regime. In the United States, on the other hand, the trajectory of sustainable development is characterized by twists and turns, not a continuous progression. As a consequence, the outcome in this case differs from the German case. The U.S. remains far from having a sustainable development policy regime. Furthermore, it is important to note that in addition to the domestic forces at play, the policy actions at the international stage were looming over both trajectories. Yet again, the two cases differ in terms of how much these international forces impacted each national sustainable development trajectory. Overall, the international policy actions had a greater impact in Germany than they did in the United States.

A summary of the German sustainable development trajectory illustrates the at times slow, but continuous and accumulative evolution of the idea into a strong and durable policy regime. Initially, we do see a slow implementation of sustainable development as a policy goal in the early to mid-1990s as the federal government focused its attention on the reunification of Germany and the improvement of the German economy. Yet, once the Bundestag and the

Chancellor created institutions to support the implementation of sustainable development,⁸ these institutions stayed in existence and continued their work even after a change in government like that from the Green Party and Social Democratic Party coalition that governed from 1998 to 2005 and oversaw the majority of institution building to the Christian Democratic Party and Social Democratic Party coalition that took over the reins in 2005. All major parties appear generally supportive of sustainable development as a major policy goal. On its website, the German federal government itself underscores this assessment pointing to “the broad, constant political consensus in Germany regarding the importance of sustainability” (Die Bundesregierung, 2006). In addition, various interests were brought into sustainable development policymaking, which increased the level of interest support, as the example of the German Sustainability Code illustrates. As a result of the broad consensus among the major parties as well as the overwhelming interest support and the development of a strong institutional structure, the German sustainable development policy trajectory has emerged accumulatively and resulted in a robust and durable policy regime.

In contrast to the more linear trajectory of sustainable development in Germany, the idea’s path in the United States shifted radically with every change in executive power. *The Global 2000 Report to the President* commissioned by President Carter and published in 1980 was the first attempt to make sustainable development a policy priority. Yet, with the election of President Reagan we see a reversal of policy priorities away from sustainable development and towards liberal economic policy. Then there were initial attempts to implement the U.N.’s sustainable development action program during the 1990s as indicated President Clinton’s

⁸ e.g. the Parliamentary Advisory Board for Sustainable Development, the German Council for Sustainable Development, and the State Secretaries’ Committee on Sustainable Development.

extensive work relating to sustainable development, particularly the establishment of President's Council on Sustainable Development. But the election of Republican President George W. Bush led to another turnaround, which was aided by the substantial pushback against sustainable development from conservative interests. President Bush moved away from sustainable development and the Clinton era institutions were dissolved. Interestingly, despite the election of another Democratic President, sustainable development has not returned as a major policy priority under President Barack Obama. Instead, he diffused sustainable development to a large degree by refocusing the debate on climate adaptation and resilience. Overall, in the U.S. case, the trajectory of sustainable development resembles a pendulum that swings back and forth with every presidential election that resulted in a shift in partisan control of the White House. The lack of continuity throughout the past 35 years resulted in the absence of a sustainable development policy regime in U.S. policymaking today. The idea has neither sufficient interest support, nor the necessary institutional underpinnings to create a policy regime.

There are several different factors that may explain why these two trajectories are so different from one another. For one, the opportunities and constraints that shape policy regime building are impacted by the broader governing conditions, such as the electoral makeup, the number of veto points built into the system, and the role of parties and interests. Beyond that, various other contextual factors, including external shocks, the state of the economy, public opinion, and the dominant political ideology, can determine whether an idea gets traction or not. In the following in-depth chapters, I analyze the critical junctures introduced in this chapter to determine which factor or factors led to the differences in both the policy trajectory and the resulting policy regime or lack thereof.

PART II:
INTEREST ALIGNMENTS

CHAPTER 3

U.S. Failed Effort in Agenda Setting:

The Fate of the Global 2000 Report

The Global 2000 Report to the President is a landmark 1980 governmental report predicting the state of the world in the year 2000. The report was commissioned by President Carter in 1977 as an ambitious effort to forecast the state of the world's population, natural resources, the economy, and the environment twenty years in the future. Prepared by the Council on Environmental Quality and the Department of State, the report's projections were based on computer models and extensive data from fourteen different U.S. governmental agencies as well as the World Bank. This was the first time that a country conducted a study with such immense scope—both in terms of the timeframe under investigation and the geographical area. This major policy document was intended to help set a broad agenda for confronting environmental and other problems well into the future. The report discusses the idea of sustainable development and addresses numerous problems that are connected to a lack of sustainable development, such as environmental degradation and resource shortages. In so doing, the report was a historic undertaking in bringing the idea of sustainable development to the forefront of political and policy discussions. It was the first attempt to put sustainable development as a policy idea on the policy agenda.

For a variety of reasons, which I address in this chapter, the timing of the release of the report may have been one of the worst possible times in recent history to attempt the establishment of a sustainable development policy regime. Only three months after its

publication, Ronald Reagan won the presidential election in a landslide and Republicans gained control of the Senate. This changed political makeup of the national government led to a shift in policy priorities away from the environment and towards the economy. Reagan's economic policies laid the foundation for the ideological dominance of neoliberalism as his policies relied heavily on market mechanisms, deregulation, and privatization. Given these political dynamics, it is not surprising the presumed clarion "wake up call" of the *Global 2000 Report* gained little traction. Ultimately, the opponents of the *Global 2000 Report* prevailed and in so doing laid the ideational foundation for the future opposition to the idea of sustainable development.

Nevertheless, it is instructive for a number of reasons to take a closer look at how the debate surrounding the report played out. First, in purely historical terms it represents an important juncture when the idea of sustainable development was highlighted broadly at high levels of the national government. Understanding why the idea did not gain traction shows how the political and ideological context is important in shaping the boundaries for potential reforms. Second, the back and forth between the opponents and the supporters of the ideas articulated in the report demonstrates how the balance of the interplay of interests and ideas shapes the possible bases of support for policy regimes. Third, the fate of the *Global 2000 Report* further demonstrates how institutional hurdles with the American policymaking process cannot be overcome for advancing policy ideas without effective advocacy for the idea.

This chapter first lays out how the report came to be and what the ideas are that it articulates. Then it shifts to discuss both the supporting and the opposing interests, including their strategies and level of success. Then, I address the role played by both the executive and the legislative branch. I conclude in considering the role of a variety of contextual factors in helping to limit possible directions for sustainable development in American policymaking.

The Publication of the *Global 2000 Report* & Its Ideational Foundation

Shortly after taking office, President Jimmy Carter commissioned the so-called *Global 2000 Report to the President*. Over the following three years, a team surrounding the physicist Dr. Gerald O. Barney¹ collected data from various U.S. governmental agencies as well as the World Bank to make computer model-based projections about the future of the world in the year 2000. In the foreword to the report, President Carter notes: “This we can do collectively, as men and women committed to *sustainable development*, to a better quality of life, for all those on earth” (Barney, 1980, p. xi, emphasis added). Though Carter mentions the idea of sustainable development in the foreword to the report, the idea is not explicitly defined in the report. It is clear, however, that the content relates to the idea of sustainable development and that it serves as the underlying goal of Barney’s team. The study itself assesses the projected population growth, income levels, natural resources, as well as environmental consequences. Assuming that “present trends continue” and “there are no changes in public policy, institutions, or rates of technological advance,” the study predicts “the world in 2000 will be more crowded, more polluted, less stable ecologically, and more vulnerable to disruption than the world we live in today” (Barney, 1980, p. 1). More specifically, it foresees an explosively increasing world population, a significant upturn in food production, more severe regional water shortages, a substantial reduction in world forests, soil deterioration, dramatic extinction of species, an increasing concentration of carbon dioxide in the atmosphere, and oil production that is reaching

¹ “He headed the national program office of the Rockefeller Brothers Fund, and worked with former governors Nelson Rockefeller and Russell Peterson on the Commission for Critical Choices for Americans. After serving as editor and staff director of the *Global 2000 Report* to the President for the U.S. Council on Environmental Quality, Dr. Barney formed the Millennium Institute in 1983. The non-profit Institute’s mission is ‘to help create the conditions for the peoples of the world to achieve a sustainable future for Earth and to use the energy of the year 2000 to begin building a diverse alliance committed to this task.’” (Source: <http://www.som.org/3library/interviews/barney.htm>, accessed June 4, 2015)

maximum capacity (Barney, 1980). Thus, it paints an overall rather bleak picture of the future and calls for changes in policymaking to prevent its predictions from becoming reality.

The *Global 2000 Report* was officially released during a White House press conference on July 24, 1980 just months before the 1980 presidential election. The next day, The Washington Post noted, “the report’s projections clearly err on the side of optimism,” its “findings are largely consistent with those of many other recent studies,” and “considering the many assumptions that have to be made, they are probably about as good as current knowledge can produce” (Washington Post, 1980).

Following the release of the report, Carter’s Secretary of State Edmund Muskie gave a statement before the 11th Special Assembly of the United Nations General Assembly in New York on August 25, 1980. The foundation of his statement, which was entitled “Securing the World’s Common Future,” was the *Global 2000 Report*. President Carter also emphasized the report in his farewell address in January 1981 stressing the importance of “addressing global resource and environmental problems” and calling on the “nations of the world [to] act decisively to alter current trends” (Carter, 1981a). And in his final State of the Union address, on January 16, 1981, Carter also alluded to sustainability as an idea underlying his environmental policy when he noted: “Our children, and our children’s children, are dependent upon our maintaining our commitment to preserving and enhancing the quality of our environment” (Carter, 1981b).

During the same month, the Council on Environmental Quality along with the State Department published the “Global Future: Time to Act” report, which included recommendations based on the *Global 2000 Report*. The “Global Future” report was released on January 14, 1981—one week before Ronald Reagan was inaugurated—and it served as a follow-

up to the Global 2000. While the *Global 2000 Report* projected what the world would look like in the year 2000, the *Global Future Report* listed what had to be done to prevent these projections from becoming reality. According to Washington Post reporter Joanne Omang, “[t]he proposals focus on institutional changes and specific programs, recommending a White House coordinating unit of about 30 persons and a separate information-gathering and computer modeling center braced with ‘action-forcing devices’ like budget review procedures, periodic presidential messages and blue-ribbon study commissions” (1981). In addition, the report recommended establishing a public-private institute to engage and incorporate the business community into the process. In a news conference that took place one day after the release of the report, Secretary of State Muskie referred to the report as a “plea for action” (Shabecoff, 1981). Given that Ronald Reagan was inaugurated on January 20, 1981, the plea appeared to be a rather desperate one. It was unlikely that Reagan and his administration would implement any of the *Global Future* recommendations.

Interplay of Interests and Key Ideas

An idea cannot exist without interests engaging with it. Interests interpret ideas and can advance or block them. Therefore, it is important to look at the relationship between an idea and the interests responding to it by either supporting or opposing it. An idea will have a short life if the efforts to advance it are drowned out by the opposition voices. The critical question to consider is whether key actors endorse the idea by reinforcing it through their statements and actions. Furthermore, it is necessary to assess whether the actors endorsing the idea outweigh their opposition in terms of both their underlying political power and their level of engagement with the idea.

Table 3.1: The Global 2000 Report & Its critics

Support	Year	Opposition
President Carter commissioned <i>Global 2000 Report</i>	1977	
<i>Global 2000 Report</i> officially released (White House press conference)	1980	Kahn & Ford criticized Global 2000 in NYT editorial
Secretary of State Muskie gave statement before 11 th Special Assembly of the UN General Assembly		Emhart Corporation sponsored the report “The 80’s: A Futurist and a CEO Look Ahead” written by Kahn & Ford
Subcommittee on International Economics of the Joint Economic Committee in the 96 th Congress holds hearing on Global 2000		During campaign, Reagan questioned whether predictions are accurate & notes that they cannot foresee technological innovation
Carter stresses global resource & environmental problems in his farewell address	1981	LaRouche’s Executive Intelligence Review (EIR) criticizes Global 2000
CEQ & State Dept. publish <i>Global Future: A Time to Act</i> report, which includes recommendations based on Global 2000 (Speth news conference)		Reagan administration wants to cut EPA budget in half, Congress does not go along with that
Global Tomorrow Coalition was founded		Reagan administration objected to OECD report on global environment similar to <i>Global 2000 Report</i>
WWF’s Year 2000 Committee was created		
Carter gives speech at Global Tomorrow Coalition conference criticizing Reagan’s environmental policy	1983	American Association for the Advancement of Science convention – Heritage Foundation presented papers & distributed draft chapters of “Global 2000 Revised”
Reps. Gingrich & Gore co-sponsored Critical Trends Assessment bill (HR 3070), did not get out of committee		Hudson Institute’s national teaching program (Visions of the Future project) – weeklong conference with 21 teachers & Kahn (funded by Reader’s Digest Foundation)
	1984	<i>A Resourceful Earth</i> by Simon et al. was published
		American Association for the Advancement of Science convention – panel discussion “Knockdown, Dragout on the Global Future”
		Reagan administration draws on Simon’s ideas at UN-sponsored International Population Conference
	1985	Heritage Foundation article “Half-Truths and Consequences: The Legacy of Global 2000”

This section examines the interplay of interests in their response to the ideas elaborated in the *Global 2000 Report*. Specifically, I evaluate whether the supporting interests were successful in articulating the idea or whether they were drowned out by the opposing interests. First, I address the supporting interests, specifically the level of coalition building that took place among them as well as the intellectual foundation of their argument. Then I discuss the opposition to the *Global 2000 Report* focusing on the degree to which its arguments shaped the public debate. In addition, I investigate which aspects of the report the opposing interests criticized the most. Finally, I summarize what we learn about the interplay of the opposing interests and what conclusions can be drawn. As I illustrate in what follows, the interplay of interests related to the *Global 2000 Report* is dominated by the opposing interests—they were stronger politically, more ideologically aligned, and more effective in advancing their frames.

Supporting Interests: The Malthusians

A number of supporting interests were reinforcing the message of the *Global 2000 Report* to some degree. Though based on an assessment of the media reporting about the *Global 2000 Report*, it appears these interests were rather scattered and did not come together as a coherent coalition. The most prominent attempt to build such a coalition was the so-called Global Tomorrow Coalition, which was founded in 1981. A diverse collection of forty founding groups came together to build this coalition, among them environmental groups, such as the Sierra Club and Friends of the Earth, groups that were concerned about population growth, such as the International Planned Parenthood Federation and the Population Institute, and other organizations, like the American Farmland Trust, Turner Broadcasting System, and Tufts University. By 1985, the coalition had over 100 participating and affiliated members. With the

help of a very small central staff, the Global Tomorrow Coalition held regular meetings in Washington DC, created task forces, worked with federal agencies and departments, and published a periodical called *Interaction*, which appeared six times a year (Lesh, 1985, p. 44). One of the events the Coalition received the most press for was a large public conference it sponsored entitled “Global Environment, Resources & Population: Rebuilding United States Leadership.” The press coverage was most certainly due to the fact that former President Jimmy Carter delivered the conference’s keynote address in which he heavily criticized his successor Ronald Reagan. Overall, the efforts of the Global Tomorrow Coalition, however, did not affect the public debate to a substantial degree. As John S. Dryzek notes, while “[s]ome of these [affiliated] groups had a large membership [...] the coalition itself never played an especially visible role in mobilizing public opinion; groups could declare an affiliation to it without really integrating its efforts into their own activities” (Dryzek, 2013, p. 44).

In addition to the Global Tomorrow Coalition, a number of academics prominently emphasized some of the issues that the *Global 2000 Report* addressed, foremost the population issue. In the public discourse, these academics are generally labeled as “Malthusians” or “Neo-Malthusians” as a reference to Thomas Robert Malthus, who laid the intellectual foundation for the population growth concern literature. One of the most prominent Malthusians in the post-Global 2000 era was Paul Ehrlich, who according to John Tierney was “helping to launch the environmental movement” (Tierney, 1990). In 1968, Ehrlich published the bestselling book *The Population Bomb* in which he warned of mass starvation and overpopulation. According to some of the media reporting, “the public discussion of the long-term future of humanity [in the 1970s] has been dominated by the ‘neomalthusians’ – those publicists who maintain that population and economic growth will lead to exhaustion of natural resources, to famine, to environmental

disaster” (Briggs, 1981). While these arguments had gained substantial traction in the 1970s, the 1980s brought a backlash against fear of population growth arguments and their critics—the so-called “Cornucopians”—gained significant momentum in the public and policy debate. The conflict between those two camps culminated in a highly publicized bet in which Ehrlich and Heritage Foundation scholar Julian Simon wagered \$1,000 on the future price of five metals to make a point about the use of natural resources. Ultimately, Simon won the bet as the price of the five metals decreased over time—a fact that Simon argued illustrates that we are not running out of natural resources.

Other important individuals who supported the ideas in the *Global 2000 Report* were Lester R. Brown of the Worldwatch Institute, Russell Peterson² of the National Audubon Society who also served as the chairman of the Global Tomorrow Coalition, and Gerald O. Barney of the Institute for the 21st Century Studies and the Millennium Institute.³ It is important to note that the support for the Global 2000 was not always voiced in confidence, however, as the example of George McCully, who was a consultant to Earthwatch, indicates. A 1983 Washington Post article notes that McCully “acknowledged that the original Global 2000 projections may turn out to be wrong.” But he said “that ‘is not the point. The idea was to call attention to the fact that we are destroying our habitat. That is still true...’” (as cited in Hilts, 1983).

Finally, Russell E. Train, the former EPA head under Presidents Nixon and Ford, created the Year 2000 Committee under the auspices of the World Wildlife Fund (WWF) in 1981. Previously, Secretary of State Gus Speth inquired whether Train would be willing to chair a citizens’ committee on the *Global 2000 Report*. But even though Train was sympathetic towards

² One-term Republican governor from 1969 to 1973, chairman of the Council on Environmental Quality under Nixon and Ford (Martin, 2011).

³ He authored *Building a Sustainable Society* (1981).

the report and “recognized the need for building public support for it,” he “felt cautious about taking on the job just as the 1980 presidential campaign was approaching its peak” (Train, 2003, p. 276), which ultimately led him to decline Speth’s offer. Instead he initiated the Year 2000 Committee.⁴ In terms of its topical focus, Train notes in his memoir that the committee members “agreed to avoid specific resource issues” and instead focus “on process and the need for the United States to develop a systematic and comprehensive capability for gathering and analyzing information on global resource trends” (Train, 2003, pp. 276-277). Contrary to Train’s account of the committee’s work, an article in the politically charged Executive Intelligence Review claimed that the committee “vow[ed] to push for the implementation of the Global 2000 perspective regardless of who wins the November election” (Wolfe, 1981, p. 55). What is clear is that the committee’s work did not impact policymaking to a significant degree. Train ran into some opposition from within the Reagan administration, specifically from Vice President Bush and Interior secretary Jim Watt, who noted in a conversation with Train that “we are all against [...] the Global 2000 issues” (Train, 2003, pp. 277-278). Ultimately, the committee managed to prompt Congressmen Newt Gingrich (R-GA) and Albert Gore (D-TN) to co-sponsor the Critical Trends Assessment bill (H.R.3070), which did not get passed the House Interior Committee. Heritage Foundation fellow Julian Simon criticized the bill and similar efforts as dangerous because their adoption would lead to an unnecessary expansion of government powers (Simon, 1984).

The critics dismissed the supporting interests of the *Global 2000 Report* as the “international population-industrial complex,” which according to them also included foundations, the World Bank, the United Nations, and the Agency for International Development

⁴ Interestingly, the committee was co-chaired by the business leader and chairman of the Atlantic Richfield Company Robert Anderson.

(Briggs, 1981), implying that their agenda is driven by financial motives. Overall, the impact of their work on national policymaking during the 1980s was rather limited. The work of the WWF's Year 2000 Committee fell short in its attempt to help pass legislation. The Global Tomorrow Coalition's biggest impact on the national policy debate seemed to be the press coverage following Jimmy Carter's keynote speech at its 1983 conference. Lastly, the intellectual focus on population growth and concerns garnered significant criticism and the environmental movement ultimately abandoned the population stabilization argument (Beck & Kolankiewicz, 2000, p. 123).

Opposing Interests: The Cornucopians

The *Global 2000 Report* received substantial pushback from a variety of sources, but most prominently from the Heritage Foundation, economics professor Julian L. Simon, and the head of the Hudson Institute Herman Kahn. Their criticism of the *Global 2000 Report* was well publicized in the media and garnered much attention in the public debate about the environment and the economy. The most criticized aspect of the Global 2000 was its focus on population growth as a problem and the depopulation strategy that followed from this assessment.

In a New York Times editorial, for example, which was printed shortly after the publication of the *Global 2000 Report*, Kahn along with T. Mitchell Ford, who was the chairman and president of the Emhart Corporation at the time, heavily criticized the Carter report arguing that a "society afraid of running out of resources might create roadblocks that would prevent growth and slow the technologies needed to expand our resources" (Kahn & Ford, 1980a). At the same time, they conjured up a "new mood in this country against the self-indulgence that's held back genuine progress" (Kahn & Ford, 1980a). Furthermore, it should be noted that the Emhart

Corporation also sponsored the report “The 80’s: A Futurist and a CEO Look Ahead” (1980b) authored by Kahn and Ford.

In addition to Herman Kahn, Julian L. Simon was a key actor leading much of the opposition against the Global 2000 himself. Through his fight against the Carter report and Malthusians more generally, the economist Simon became a darling of the Republican Party and a “celebrity of the political right” (Harrington, 1985). In 1985, the Washington Post published a portrait of Simon with the telling title “The Heretic Becomes Respectable; After 15 Years of academic battle, people are beginning to pay attention to Julian Simon when he says the world is not too crowded” (Harrington, 1985). Simon was an economics professor at the University of Illinois-Urbana Champaign and later the University of Maryland. He was also affiliated with the Heritage Foundation and the Cato Institute. As the title of the 1985 Washington Post article indicates, the issue that drove Simon’s academic work as well as his work for conservative think tanks is the population issue that featured prominently into the key arguments of the early environmental movement. In 1981, Simon published the book *The Ultimate Resource*, in which he called into question the Malthusian argument about increasing population growth and resource scarcity. The argument falls short, he argues, because it disregards the “ultimate resource”—the ability of humans to innovate and adapt to changing circumstances. Simon received a considerable amount of attention for *The Ultimate Resource* (Rowen, 1981). In his portrait of Simon, Washington Post writer Walt Harrington claims that Simon’s “brash persistence, the power of his argument, and changing times disarmed the rhetoric of the Population Explosion” (1985). It is clear that Simon and his views featured prominently into the Global 2000 opposition.

Much of the debate between the two camps took place at the annual meetings of the American Association for the Advancement of Science (AAAS) during the early to mid-1980s. At the annual meeting in 1982, for example, “the combatants [...] took verbal swipes at each other as half a dozen of the principle authors of the Global 2000 attended the convention to “defend and update their analyses” (Boffey, 1982). One year later, at the 1983 annual AAAS meeting, the Heritage Foundation compiled a panel dominated by optimists, including Roger A. Sedjo and Marion Clawson of the DC-based think tank Resources for the Future, who attacked the Global 2000 in their paper presentations. In addition, the Heritage Foundation experts distributed draft chapters of “Global 2000 Revised.” Julian Simon and Herman Kahn, who were part of the Heritage group, “recommended that the Government take ‘no more steps’ to make people ‘aware’ of resource and environmental problems, because the public has been ‘badly served’ and ‘scared’ by unfounded exaggerations by officials who are ‘subject to manipulation by political pressure groups’” (Boffey, 1983). Finally, the 1984 AAAS panel discussion was suggestively entitled “Knockdown, Dragout On the Global Future.” Julian Simon played a critical role in creating this academic conflict, not only were his ideas featured prominently, but according to the Washington Post’s Walt Harrington, the National Academy of Sciences created a special committee that created a \$350,000 review just because “Simon would not shut up” (1985).

The debate at the annual AAAS meetings ultimately led to the publication of the Heritage Foundation-funded study *The Resourceful Earth: A Response to Global 2000*, which was published in 1984. Co-edited by Simon and Kahn, it questions the conclusions about population growth and resource consumption drawn by Carter’s report. Over two-dozen experts, who generally “tend to take a politically conservative position” (Goodman, 1984), contributed to the

edited volume, among them William J. Baumol from the American Economics Association and University of California-Berkeley political science professor Aaron Wildavsky. Though *The Resourceful Earth* significantly shaped the public discussion at the time, *The New York Times*' Bruce Briggs argued that "the doomsters have long since been thoroughly refuted by William Brown and Herman Kahn's "The Next 200 Years" (1976), Wilfred Beckerman's "In Defence of Economic Growth" (1974) and best of all, John Maddox's "The Doomsday Syndrome" (1972)" (1981)—all published prior to the *Global 2000 Report*. Be that as it may, *The Resourceful Earth* played a key role in the post-Global 2000 policy debate about the relationship between the environment and the economy. Acknowledging this implicitly, chief author of the *Global 2000 Report* Gerald O. Barney noted in his response to *The Resourceful Earth*, that it is "a very political document and a political statement," the goal of which was to excuse President Reagan's lack of response to the problems addressed by the Carter study (Goodman, 1984). Herman Kahn, one of the editors of *The Resourceful Earth*, in turn dismissed the Global 2000 as "globaloney" (Goodman, 1984). Finally, it should be noted that in contrast to the Emhart report, the Heritage-sponsored report received a substantial amount of media coverage.

Furthermore, in 1985, an article entitled "Half-Truths and Consequences: The Legacy of Global 2000" written by Heritage Foundation research assistant Stephen Moore was published in the foundation's policy journal *Institution Analysis*. Moore notes, "the *Global 2000 Report* was full of doom and gloom" and while "the pessimistic report projected a future plagued by shortages of the globe's most basic and essential resources," its "findings and methods by now have been refuted" (1985).

The opposition to the Global 2000 did not end with the publication of counter-reports, critical articles and editorials, however. In 1983, the Hudson Institute conducted a national

teaching program titled “Visions of the Future,” which was meant “to counteract the ‘grim images of the future’ it believes are prevalent among students” (Melvin, 1983). The program was essentially a weeklong conference led by Kahn during which 21 teachers discussed historical trends with him and based on those exchanges created a three-week long high school social studies curriculum.⁵ Before the start of the conference, most of the teachers who were in attendance agreed with the points made by the *Global 2000*, but afterwards most of them had changed their minds (Melvin, 1983). This example shows that it was not enough for the critics of the *Global 2000* to voice their opposition; they sought to change the minds of the next generation. Though it remains uncertain how influential these attempts were, it is clear that the conservative opposition to the *Global 2000 Report* had a strong and broad foundation.

The Interplay of Opposing Interests

The examination of the interplay of the opposing interests in the debate surrounding the *Global 2000 Report* reveals that the establishment of a policy regime based on the ideas articulated in the report was already undermined by the interest alignment at the time. Following the publication of the report, the supporting interests attempted to create a broad coalition backing policy action based on the report. The so-called Global Tomorrow Coalition, however, did not affect the public debate in a meaningful way, which may at least partly be because its member organizations did not integrate the efforts of the coalition into their own work. The impact of the intellectuals who supported the *Global 2000 Report* remained limited as well. In their support, they emphasized the argument that population growth is a serious problem that puts pressure on the environment and natural resources. For many reasons, this argument turned

⁵ Hudson Institute received a \$200,000 grant from Reader’s Digest Foundation; based on Arizona pilot project from the previous winter.

out to be an unsuccessful one and the environmental movement later abandoned it. Ultimately, the report's supporters lacked organization and a strong argument that could withstand criticism.

The opponents of the report, on the other side, were stronger politically, more ideologically aligned, and more effective in advancing their frames. While they did not constitute a formal coalition, the organizations and intellectuals opposing the Carter report aligned their arguments, had numerous points of intersection, and managed to affect the politics of the day as the Reagan Administration adopted some of its arguments. With the support of organizations like the Heritage Foundation, intellectuals like Julian Simon and Hermann Kahn led the charge against the *Global 2000 Report*. Much of the intellectual debate played out at the annual meetings of the American Association for the Advancement of Science and culminated in the publication of the counter-report edited by Simon and Kahn titled *The Resourceful Earth: A Response to Global 2000*. In addition to publishing counter-reports as well as critical articles and editorials, the opponents also organized a national teaching program to advance their side of the argument. As this illustrated, the opposing interests relied upon a variety of instruments to advance their frames, which focused on a positive and hopeful assessment of the future where innovation and technology lead to solutions for resource problems and will ultimately prevent us from running out of resources.

Ultimately, tracing the interplay of the opposing interests illustrates that the alignment of the interests in support of and in opposition to *Global 2000 Report* undermined the creation of a policy regime based on the ideas articulated in the report during the first half of the 1980s. The backlash against the report drowned out any attempts by its supporters to advance their framing of the problem and what they argued could be potential solutions to it. Furthermore, the

opposition outweighed the supporters in terms of political power and their level of engagement with the idea.

The Institutional Context: The President and Congress

Mapping the institutional design that is meant to carry out a policy idea is a critical step in assessing a policy regime. This includes both existing and newly created institutional structures. Since the publication of the *Global 2000 Report* did not lead to the creation of any new institutional structures, this section focuses on already existing structures and the degree to which they engaged with both the ideas articulated in President Carter's report and the opposition to these ideas.

Ideas gain traction as policy entrepreneurs advance them within the hallways of governing institutions—the Presidency and Congress. Each entails notable institutional hurdles in agenda setting and policy action that cannot be overcome without the development of viable coalitions in support of a given idea. Those, in turn, require both internal and external advocates. In the American policymaking process, these hurdles for advancing policy ideas cannot be overcome without effective advocacy for the idea. Thus, the interplay of interests and their engagement with the idea ties into the institutional structure.

In what follows, I assess the level of support for the ideas articulated in the *Global 2000 Report* within these two branches of government. In addition, I consider the influence that the interests discussed above had on both the President and Congress. It becomes clear that the change in executive leadership and the accompanying shift in ideological perspective, which emphasized market mechanisms, economic growth and technological innovation in lieu of environmental protection and governmental regulations, made the creation of an institutional

structure to address the issues raised in the *Global 2000 Report* unattainable. Mirroring the views of the opponents of the *Global 2000 Report*, President Reagan repudiated the recommendations of the Carter report and opposed policy action to implement it. Furthermore, Republicans in Congress neither paid attention to nor bought-into the issues raised by the report. Given that Republicans controlled the Senate during the first half of the 1980s, legislative action to address the *Global 2000 Report* was all but impossible.

The Presidency: Ideological Shift from Carter to Reagan

The initial ideational foundation originated from the presidency as President Carter commissioned the *Global 2000 Report*. Yet, a change in leadership meant that the interests in support of the report had to gain the backing of the new president and his administration to create a sustainable development policy regime, which may have been an impossible task to accomplish. As I discuss, President Reagan was rather firmly in the camp of the opposition to the *Global 2000 Report*.

The Heritage Foundation and Julian Simon's criticism of the *Global 2000 Report* was generally in line with Ronald Reagan's own assessment of environmental concerns, despite some early, pre-presidential support for environmental issues. Although Reagan "issued a proclamation establishing a World Population Day in California, and urged stabilization of [the] global population to avert 'severe famine and misery'" in 1974 when he was Governor of California (Rowen, 1981), this was only an aberration. Most of the time, his criticism of what he referred to as the "doomsday crowd" was persistent. History Professor Thomas Robertson argues that Reagan's speech to the American Petroleum Institute in 1971 was "his most fully formed critique of environmental Malthusianism to that point;" in it, he articulated his "faith in markets

and technology” (Robertson, 2012, p. 209; Reagan, 1971). When he was running for president in 1980, Reagan reiterated this perspective. During a news conference at a campaign stop in Los Angeles on October 15, 1980, for example, a reporter asked Reagan how he would respond to long-term problems like the ones brought up by the *Global 2000 Report*. In his answer, Reagan questioned the accuracy of the predictions and noted that they do not account for technological innovation (Reagan, 1980). Overall, Reagan “dismissed [the *Global 2000 Report*] as unfounded pessimism and flawed reasoning” (Sabin, 2013, p. 141) and instead offered hope, optimism, and the promise of economic growth. According to History Professor Paul Sabin, Reagan exploited the backlash against environmentalism, which was in part triggered by “the [...] extreme warnings about imminent doom emanating from Carter and environmentalists like Ehrlich” (2013, p. 137). Overall, we see an “extreme rhetorical turn against environmentalism in the early 1980s” originating from Reagan and the Republican Party as a whole (Sabin, 2013, p. 137).

As president, Reagan and his administration sent some mixed signals regarding his view of Global 2000 issues and policy positions, yet when looking at his presidency as a whole, Reagan appears to be a rather clear proponent of Cornucopian views. On the one hand, Reagan along with other leaders “promised greater international efforts to reduce population growth” during an economic summit held in Ottawa, Canada in July 1981 (Rowen, 1981) and his administration created a working group to continue studying the issues raised by the *Global 2000 Report* (Shribman, 1982). On the other side, however, he called pollution substantially controlled in 1980 and sought to cut the EPA budget in half in 1981 (St. Petersburg Times, 1990), which Congress prevented. And a 1983 New York Times article noted, the *Global 2000 Report* “is now under attack as unduly pessimistic by Reagan aides” (Shabecoff, 1983). Furthermore, the Reagan Administration objected to a 1981 OECD report about the global environment, which was

similar to the *Global 2000 Report*, because it proposed governmental action to solve environmental problems. The EPA's director of international affairs Richard Funkhouser "played a key role in blocking the OECD report" (Shabecoff, 1981). Although President Reagan and his administration sent some mixed signals regarding the arguments made in the *Global 2000 Report*; overall, they repudiated its recommendations, cut back on environmental policy efforts, and opposed increased governmental action in this policy area.

A 1984 population conference in Mexico City sponsored by the United Nations may be the clearest example of the Reagan Administration's reliance on Simon's views. According to the Washington Post, the Reagan Administration "drew on Simon's ideas in its official policy linking free-market economies with effective population policy and denying worldwide population growth was itself a crisis" (Harrington, 1985). The New York Times quoted the chief of the U.S. delegation James L. Buckley as saying that the "development of free-market economies was 'the natural mechanism for slowing population growth,'" further noting that the Reagan Administration took advantage of the U.N. population conference "to emphasize its abandonment of the pessimistic predictions of the *Global 2000 Report*" (Meislin, 1984).

Furthermore, it is important to note that the Reagan Administration's criticism of the *Global 2000 Report* went beyond the broad ideological criticism and the issue of population control. In the mid-1980s, State Department senior agricultural analyst Dennis T. Avery was cited in a Washington Post article that discussed the economic challenges that American farmers were facing at the time. Both Avery and the author of the article, Ward Sinclair, heavily criticized the *Global 2000 Report*. The article argued that the Global 2000 and other expert predictions were the cause of "the current economic malaise of the U.S. agricultural machine" because the experts not only "told farmers to stay ready to produce because the world was

growing faster than it could feed itself’ but they also disregarded the role that technological innovations could play (Sinclair, 1985).

While there was some internal conflict within the Reagan Administration, particularly between the existing foreign aid establishment, which sought to continue its long-standing support of population control, and the right wing of the Republican Party, which sought to end it (Rowen, 1981), the Cornucopians ultimately prevailed and environmental organizations as well as former President Jimmy Carter heavily criticized the Reagan Administration for it. At the 1983 Global Tomorrow Coalition conference, for example, Carter accused Reagan and his administration “of abdicating its responsibility as a world leader in environmental protection by undercutting international efforts and attempting to thwart the Environmental Protection Agency’s enforcement of the law” (Carter, 1983). Russell W. Peterson, then President of the National Audubon Society and chairman of the Global Tomorrow Coalition, also attacked Reagan’s environmental policy. His obituary notes, “[w]hen Reagan said conservationists would not be happy until the White House was a ‘bird’s nest,’ Mr. Peterson snapped back that it was already ‘a cuckoo’s nest’” (Martin, 2011). Thus, it seems clear that the Reagan Administration generally opposed the *Global 2000 Report* and the issues it raised. Reagan was in line with the interest opposition to the report and he did not support the establishment of an institutional structure that would have been necessary to address the problems raised by the *Global 2000 Report* and to implement the recommendations made by the Global Future report, which was the follow-up report to the Global 2000. Consequently, the creation of an institutional structure that would be underlying a policy regime based on the ideas put forward in the *Global 2000 Report* was far from attainable given the transition in the political power balance in the executive branch and the accompanying change in ideological perspective.

Congress: The Lack of Attention and Support for the Global 2000 Report

Congress took up the *Global 2000 Report* when the Subcommittee on International Economics of the Joint Economic Committee in the 96th Congress held a hearing on the *Global 2000 Report* on September 4, 1980. However, only two representatives were present during the hearing and both of them were Democrats⁶, which indicates that there is a lack of attention and buy-in from congressional Republicans. The selection of witnesses also makes the hearing appear like an internal affair, as both witnesses were members of Carter’s executive branch. The chairman of the Council on Environmental Affairs and head of the President’s Global 2000 task force Gus Speth and Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs Thomas Pickering were both promoting the ideas of the *Global 2000 Report* in front of the congressional hearing and due to a lack of interest from Republicans, who were in the opposition in both the House and the Senate at the time, they did not face a contentious congressional subcommittee. This lack of opposition seemed promising for the chances of implementing the ideas articulated in the *Global 2000 Report* into legislation. But the results of the 1980 congressional election changed this outlook.

In the 1980 congressional election, the Democrats lost a significant number of seats to the Republicans—a total of 35 seats in the House of Representatives and 12 seats in the Senate. Although they kept a majority in the House, Republicans gained control of the Senate, which they would keep for the next six years. With a split Congress from 1980 to 1986, no significant legislation relating to the *Global 2000 Report* or sustainable development was passed during that time. In 1982, two Democrats from New England—one in the House of Representatives and one in the Senate—introduced a continuing resolution “expressing the sense of Congress that the

⁶ Representative Henry S. Reuss (Democrat from Wisconsin) and Representative Gillis W. Long (Democrat from Louisiana).

executive branch should conform to the recommendations of the *Global 2000* study” (S. Con. Res. 107 & H. Con. Res. 276, 1982) into both congressional chambers. After these resolutions were assigned to a committee, no further action was taken. Another year later, in 1983, Rep. Nicholas Mavroules (D-MA-6), who had already introduced the earlier House resolution (H. Con. Res 276), made another attempt to pressure the executive branch to conform to the *Global 2000 Report* by introducing the Joint Resolution 248, which failed to move beyond the committee stage and never left the Subcommittee on Census and Population to which it was assigned. Not surprisingly, these legislative activities garnered little support from the Republican party. While the Senate Continuing Resolution had no co-sponsors at all, the two House resolutions had over twenty co-sponsors each. But the overwhelming majority of co-sponsors were Democrats. Only one Republican co-sponsored H.Con.Res 276 and two Republicans co-sponsored H.J.Res.248. In addition, no legislation mentioning “sustainable development” was introduced in either the House or the Senate during the period from 1980 to 1986.

Interplay of Interests, Ideology, and Institutions

Both the president and Congress are institutional hurdles that an idea must surpass for it to become the foundation of a policy regime. To a large degree, they determine whether an idea makes it onto the policy agenda, which then potentially leads to policy action. As this analysis reveals, both the supporters and the opponents of the *Global 2000 Report* had some governmental officials who were willing to listen to and support their argument. It is clear, however, that the opposition was more successful in garnering support from elected officials. The supporters of the *Global 2000 Report* were unable to develop a viable coalition endorsing the report and pushing for its implementation, while its opponents successfully build a coalition

that shaped the debate within the institutions themselves. Thus, the opposition was represented by both internal and external advocates. Supporters of the *Global 2000 Report* were unable to successfully advocate for the ideas the report articulates to overcome the institutional hurdles for advancing policy ideas. This does not come as a surprise given the changing power balance in both the executive and the legislative branch. Overall, the Reagan Administration's stance on the *Global 2000 Report* and related issues reveals strong parallels to Julian Simon's argument. In addition, the majority of Representatives and Senators stayed away from the issue altogether, even though the House of Representatives remained under Democratic control.

Thus, even though the report sold over a million copies and was published in various languages, the immediate impact of the *Global 2000 Report* on U.S. policymaking was slim as the political climate changed in a very different direction thereby sweeping the opposing interests to the forefront. Not only did the American people elect a new president, who would popularize a new brand of capitalism, namely neoliberalism, but the report also drew substantial and highly disseminated criticism from conservative interests, such as the Heritage Foundation. Furthermore, the support from extra-governmental interests for the report was rather weak and not as coordinated as the opposition against it.

The Role of Contextual Factors

In addition to the strength of the idea itself, the overall political situation and power balance, as well as the alignment of interests, there are a variety of contextual factors that impacted the success of the *Global 2000 Report* to varied degrees. In particular, these factors include the existence of external shocks, such as natural disasters, the state of the economy, public opinion towards the environment, and ideological predispositions. Below I address each

of these factors and briefly address the extent to which each seemed to have influenced the degree of traction for the key ideas in the *Global 2000 Report*.

External Shocks

During the summer of 1980, around the same time that the *Global 2000 Report* was published, the central and southern U.S. was hit by an extreme heat wave that claimed over 1,000 fatalities (Centre for Research on the Epidemiology of Disasters, 2009). Despite being one of the most devastating natural disasters in U.S. history in terms of fatalities and damage, the drought did not seem to affect the debate surrounding the *Global 2000 Report*. While we have seen elected officials cite natural disasters as justifications for pursuing environmental policy at other times in American history, for example President Obama's references to Hurricane Sandy, none of the elected officials addressing the *Global 2000 Report* mentioned the 1980 drought in their statements about the report. As such, it appears that this external shock did not have a direct role in shaping the trajectory of the *Global 2000 Report*.

The State of the Economy

The economic situation at the time likely did not help the supporters of the *Global 2000 Report* to make a case for focusing on environmental instead of economic policy. As the Bureau of Labor Statistics noted, the U.S. entered into a recession at the beginning of 1980 with employment falling sharply, particularly in the housing and auto industries (Westcott & Bednarzik, 1981, p. 4). In the second quarter of 1980, the GDP growth rate dipped to -7.9 (Trading Economics, 2017a). At the same time, consumer confidence reached a record low of 51.70 in May of 1980 (Trading Economics, 2017b).

The fact that the economy was performing poorly certainly impacted the 1980 presidential and congressional elections and thereby the chances of establishing a policy regime based on the *Global 2000 Report*. Unfortunately, it is impossible to know how the economic situation would have affected these chances if 1980 had not been an election year and President Carter had remained in office. It is certainly possible that it would have forced him to focus his energy on revitalizing the economy. But even when the economy bounced back with the GDP growth rate hitting +9.4 percent in the second quarter of 1984 and remaining steadily in the high single digits for over a year (Trading Economics, 2017a) and consumer confidence rebounding in the mid-1980s (Trading Economics, 2017b), the chances for pushing the idea of sustainable development did not improve.

Public Opinion

In addition to the state of the economy in 1980, public opinion during the early 1980s also moved slightly into the direction that made it easier for the opposition against the *Global 2000 Report* to make its case. For example, the percentage of Americans who thought that there was “too little spending on improving and protecting the environment” had dipped below 50 percent in the early 1980s, down from over 60 percent in 1973,⁷ However, by the mid-1980s, roughly two-thirds of Americans agreed that “the protection environment should be given a priority, even at the risk of curbing economic growth” Gallup (2017). Also, according to the General Social Survey, the percentage of Americans who believed that too little money is spent on improving the environment increased from 52 percent in 1980 to 63 percent in 1984 (NORC,

⁷ Interestingly, by the time Reagan left office, a large majority of over 70 percent of Americans believed there was too little spending on environmental protection.

2017). Again, however, this change in opinion did not change the trajectory of sustainable development at that time.

Ideological Shifts

The beginning of the 1980s marked a shift in the dominant political ideology. While environmental policy played a significant role during the 1970s—even when Republicans occupied the White House—, Ronald Reagan focused almost exclusively on economic arguments and emphasized privatization and deregulation as the strategies of choice for all policymaking. As president, Reagan popularize a new brand of capitalism, namely neoliberalism, which went on to shape policymaking for the following decades. This, like the state of the economy, and public opinion, made it much harder for advocates of sustainable development to advance concrete ideas for advancing sustainable development programs.

Summing Up

Apart from the natural disaster that took place just months before the publication of the *Global 2000 Report*, these contextual factors played an important role in shaping the Carter report's likelihood of success. The state of the economy and the public opinion at the time as well as the ideological shift that captured the federal government with the election of Ronald Reagan reinforced the barriers to advancing sustainable development ideas, namely the strong interest opposition and the preexisting institutional hurdles. Ultimately, these contextual factors help explain why the opposition gained strength and the institutional hurdles became relevant. Consequently, the context does matter as it shapes the possibilities for creating a policy regime or, as in this instance, the lack thereof.

Specifically, the economic situation in 1980 played a key role in the presidential and congressional election that year. Oftentimes, a bad economic situation decreases the incumbent's chances of winning reelection. Thus, it is likely that Democrats, who controlled both chambers of Congress and the presidency before the election, were disadvantaged by the economic recession. And the change in political power in the Senate and the presidency following the election decreased the chances of establishing a policy regime based on the ideas articulated in the *Global 2000 Report*, partly because it was accompanied by a shift in ideology. Once the majority of the political power shifted from Democrats to Republicans, improvements in the economic situation and changes in public opinion towards the environment had no effect on the debate and did not put the *Global 2000 Report* back on the agenda.

Conclusions

The *Global 2000 Report* was published almost a decade before the U.N. *Brundtland Report*. Considering that it was the first attempt by an American presidential administration to put sustainable development and related ideas on the policy map, it may not be surprising that the endeavor was unsuccessful. But why did the ideas articulated in the *Global 2000 Report* fail to gain traction? There are a variety of reasons that can potentially explain the ideas' lack of success at the time. For one, the power balance in the executive as well as the legislative branch shifted shortly after the publication of the report and the new presidential administration along with Republicans in Congress opposed the implementation of the ideas brought forth in the *Global 2000 Report*. Yet, even though Republicans only gained control of the Senate, Democrats in the House of Representatives did not make any serious efforts to promote the ideas articulated in the report either.

Some of the contextual factors likely played into the shift in political power. The challenging economic situation made it difficult for incumbents to win reelection in the 1980 election, including President Carter. Public opinion regarding the importance of environmental problems and policy at the beginning of the 1980s also did not bode well for both the *Global 2000 Report* and for candidates that stressed environmental issues instead of economic ones. And with the election of Ronald Reagan, an ideological shift captured policymaking. Thus, these contextual factors contributed to the shift in political power and further undermined the possibility of creating a policy regime based on the *Global 2000 Report*. But even once the economic situation improved and public opinion towards the environment became more favorable, the report and the ideas it articulated did not gain more traction. Interestingly, proponents of the report did not attempt to utilize the severe 1980 drought as a justification for addressing environmental problems.

Furthermore, this juncture illustrates how an idea can face substantial and almost immediate pushback from opposing interests before it even has a chance to affect policymaking. When the Carter administration attempted to put the ideas of the *Global 2000 Report* on the policy agenda, it faced strong interest opposition. At the same time, it was lacking robust interest support to outweigh the opposition. Thus, while interest support for the ideas was rather weak, the interest opposition was well-organized and strong. Nevertheless, the analysis of the *Global 2000 Report* as a juncture in the larger U.S. sustainable development trajectory poignantly illustrates the interplay of the opposing interests that dominate the American political discourse and that are on ideologically contrarian sides.

In addition, the articulation of the idea itself prevented it from gaining traction. The inherently negative framing of the potential future as well as the predictive nature of the report

invited criticism. It was the opposition that seemed to play rather successfully into ideological beliefs emphasizing market solutions and technological innovation. Overall, the arguments of each side are representative of the economic-environmental debate during the 1980s. While the *Global 2000 Report* incorporated key points from the limits to growth discourse⁸, the opposing interests countered with an argument in support of unlimited growth. Essentially, the two sides could not be further apart from each other ideologically. Ultimately, the clear definition of the two sides reflects the structural setup of the American political system with a two-party system that inhibits consensus building and enhances polarization. Because of all of these factors, the creation of an institutional structure to address the issues raised by the *Global 2000 Report* was unattainable.

Despite its lack of success in providing the ideational foundation for a policy regime, however, the *Global 2000 Report* represents a key juncture in the trajectory of sustainable development in the United States that is enlightening and instructive. While the opponents of the *Global 2000 Report* clearly prevailed, the back and forth between the supporting and opposing interests provides valuable historical context for the overall sustainable development trajectory in the United States. Through the dispute about the *Global 2000 Report*, opponents of sustainable development laid the ideational foundation for their future opposition to the idea. Thus, analyzing the *Global 2000 Report* as a key juncture in the U.S. sustainable development trajectory helps us to better understand the interests at play in this debate and the arguments made by each side.

⁸ For a more comprehensive discussion of the limits to growth discourse see chapter 2.

CHAPTER 4

Successful Engagement of Interests:

The German Sustainability Code

The German Sustainability Code (GSC) is a reporting tool for companies and other organizations to detail their non-financial impact, i.e. the social and environmental ramifications of their economic activity. It includes twenty criteria that cover their overall strategy and process management as well as their impact on the environment and society.¹ Their environmental impact is measured by their use of natural resources, their output of emissions and waste, as well as their goals for efficiency, among other factors. A company's social impact refers to its treatment of employee and human rights as well as its level of engagement with corrupt activities. Overall, the goal of the code is to provide transparency and comparability,² to encourage innovation and competitiveness, to foster sustainable economics, as well as to facilitate the orientation towards the principle of sustainability in everyday life (Merkel, 2015a).³

The development of the German Sustainability Code is a critical juncture in the trajectory of the German sustainable development policy regime for several reasons. First, although the participation of companies and organizations is thus far voluntary, the code is a concrete tool to strengthen sustainable development in Germany by making the social and environmental efforts

¹ Full list of all of the broad categories and goals: 1) Strategy (strategic analysis, strategy and goals), 2) process management (rules and processes, incentive schemes, stakeholder engagement, innovation and product management), 3) environment (usage of natural resources – input and output of materials, water, soil, waste, energy, emissions, land, biodiversity; goals for efficiency, increase in raw material productivity, and reduction in natural resource use), and 4) society (employee rights and diversity, human rights, corporate citizenship, political influence, corruption)

² German original quote: “*Vergleichsrahmen für Nachhaltigkeitsmanagement*” (Rat für Nachhaltige Entwicklung, 2015a, pg. 7)

³ German original quote: “*Orientierung am Nachhaltigkeitsprinzip im Alltag zu erleichtern*”

of companies more transparent and comparable. Furthermore, the recent incorporation of the European corporate social responsibility reporting guidelines into German law means that sustainability reporting is likely to gain further ground. Hence, the creation of the German Sustainability Code is a critical juncture for the German sustainable development trajectory because it strengthens the implementation component of the policy regime. Second, by establishing the code through an inclusive multi-stakeholder process, the Council for Sustainable Development bolstered the sustainable development policy regime building process. Since interest support is a critical component of a successful policy regime, engaging a broad range of interests in the creation of the code fortified the level of interest support for the idea of sustainable development in Germany. Ultimately, the creation of the code is an example of the successful interplay between an idea, numerous interests, and the existing institutional structure. As such, it also represents a sharp contrast to the United States, where the idea of sustainable development faced substantial interest opposition since it first made its debut in the national policy debate. Finally, despite its success and its importance for the overall trajectory of the sustainable development, the creation of the German Sustainability Code reveals the quality of sustainable development policymaking in Germany, including its limitations.

This chapter lays out the creation and implementation of the German Sustainability Code to examine how it contributed to the establishment of the German sustainable development policy regime. The analysis focuses on the critical impact that interests have played in this process. But first, I discuss the ideational foundation of the German Sustainability Code. Then, I explain how the Council for Sustainable Development created and implemented the code, including at the international level. This is followed by a discussion of the role that institutional

structures, specifically the federal government and the Bundestag, played in this process. Finally, I explore what impact a variety of different contextual factors have had on this process.

The Ideational Foundation of the German Sustainability Code

The definition of the idea of sustainable development that underlies the German sustainability code is based on the U.N. *Brundtland Report*. The introductory remarks to the code itself cite the Brundtland-Commission's definition of the idea on the very first page before even its table of contents (Rat für Nachhaltige Entwicklung, 2012a, 2015a, 2016b):

Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs. [...] In essence, sustainable development is a process of change in which the exploitation of resources, the direction of investments, the orientation of technological development, and institutional change are all in harmony and enhance both current and future potential to meet human needs and aspirations. (Brundtland, 1987)

By citing the U.N. document so prominently, the German Sustainability Code embraces the international governmental organization and the role it has played in putting this idea on both the international and domestic policy agendas. This is particularly interesting because references to the U.N. in the United States tend to undermine efforts to advocate for an idea. This is a consequence of substantial skepticism of the U.N. and its role in policymaking among American conservatives. A criticism that these groups have raised is that the U.N. is interfering with the country's national sovereignty. In addition, numerous conspiracy theories warning of the supposed overbearing power of the U.N. German policymaking lacks these kinds of persistent critiques and conspiracy theories of the U.N.

Adding to this initial definition, the German Sustainability Code also connects the idea of sustainable development to the concepts of intergenerational justice and north-south equity as

well as focuses on configuring a process of change that emphasizes creating harmony between different aspects of the economy and the environment, i.e. the use of resources, the goal of investments, technological development, and institutional change. Central to the code's understanding of sustainable development is the triade of the economic, the environmental and the social dimension of development. As Chancellor Angela Merkel notes in her foreword to the code's second edition, sustainable development "is aimed at conciliating economic performance, social responsibility and the earth's ability to regenerate. The economy, the social sector, and the environment impact each other and need to be thought of together"⁴ (Merkel, 2015a, p. 4). Thus, Chancellor Merkel as well as the German government more broadly view the three dimensions of sustainable development as interdependent and intertwined. For example, not only do economic activities impact the quality of the environment, but environmental factors, such as the amount of available natural resources, also constrain economic activity. Another concept that is deeply intertwined with the German understanding of sustainable development is human dignity. In the foreword, Merkel also emphasizes the importance of the idea of human dignity, a principle that is deeply rooted in German politics because it is the first article of the German constitution, which states that "human dignity is inviolable" (Merkel, 2015a, p. 4; Pieroth et al., 1995). The Sustainability Code guidelines for the small- and medium-sized enterprises summarize these different components of sustainable development as follows:

Sustainability means prosperity for all, but neither at the cost of other countries, other people and future generations, nor by burdening the natural environment. Short: Today not at the cost of tomorrow, here not at the cost of elsewhere. Accordingly, sustainable economic activity means to look ahead and strike a balance between social, ecological and economic goals.⁵ (Rat für Nachhaltige Entwicklung, 2013a, p. 2)

⁴ German original quote: *Nachhaltige Entwicklung "zielt darauf ab, wirtschaftliche Leistungsfähigkeit, soziale Verantwortung und die Regenerationsfähigkeit der Erde miteinander in Einklang zu bringen. Wirtschaft, Soziales und Umwelt beeinflussen sich gegenseitig und sind zusammen zu denken."* (Merkel 2015a: 4)

⁵ German original quote: *"Nachhaltigkeit bedeutet Wohlstand für alle, aber weder auf Kosten anderer Länder, anderer Menschen und künftiger Generationen noch zulasten der natürlichen Umwelt. Kurz: Heute nicht auf Kosten*

As both the statements by Chancellor Merkel as well as these guidelines indicate, justice, responsibility and a general commitment to human dignity are critical components of the German government's definition of sustainable development. Consequently, they informed the code's developmental process.

By participating in the process of developing the German Sustainability Code, the engaged interests buy into this definition of sustainable development. It is particularly interesting that virtually no objections were raised to the central role that the U.N. plays in sustainable development policymaking. For the evolution of the German sustainable development policy regime, it is also critical that a broad variety of different interests supported this ideational foundation of the code, while there was only very little direct opposition to it.

The Interplay of Interests & Key Ideas

Ideas and interests are co-dependent and cannot endure without one another. Ideas disappear if they face either indifference or broad opposition. Interests without ideas have nothing to fight for, defend, or oppose. To examine the policy regime building process or the state of an existing policy regime, it is necessary to take a close look at these two critical policy regime components and their relationship with one another. Specifically, it is necessary to assess the level of interest support for as well as the interest opposition to a certain idea and to evaluate how powerful each is vis-à-vis the other. Strong support from powerful interests can move an idea forward in the policy regime building process, while interest backlash can stop an idea in its tracks.

von morgen, hier nicht auf Kosten von anderswo. Nachhaltig wirtschaften heißt demnach in die Zukunft blicken und dabei soziale, ökologische und ökonomische Ziele austarieren." (Rat für Nachhaltige Entwicklung 2013a: 2)

This section examines the interplay of interests in their response to the German Sustainability Code. Since the various interests were deeply engaged in the process of developing and implementing the code, it is more challenging to differentiate between interest support and opposition than if only some interests were participating and others were boycotting the process. As I illustrate, there has hardly been any outright opposition since the vast majority of interests support the general idea of establishing a sustainability code. However, there are certainly disagreements about how to implement the general idea. Following, I examine the engagement of interests with the German Sustainability Code. In particular, I focus on the development of the code through a multi-stakeholder process. Then, I assess how successful the code was implemented. Finally, I address the internationalization of code.

The Development of the German Sustainability Code through a Multi-Stakeholder Dialogue Process

Before the German Sustainability Code was initiated, the German government had already established an institutional structure to address and incorporate sustainable development into German policymaking. I discuss these institutions, foremost the German Council for Sustainable Development, in detail in chapter 7. For the development of the German Sustainability Code, the German Council for Sustainable Development, which was established in 2001, played a particularly critical role since it initiated the process its creation.

The council created the German Sustainability Code through an inclusive multi-stakeholder dialogue process, which paid particular attention to the various interests whose buy-in would be important for the implementation of the code later on. As one of the GSC documents notes, the code “arose by virtue of an innovative process of dialogue among the stakeholders”

Table 4.1: Timeline of the Establishment & Adoption of the German Sustainability Code

Year	Month(s)	Action
2009	November	Leadership forum
2010	May	Workshop
2010	November	Draft of GSC presented to public
2010 - 2011	Dec. – Feb.	Input phase
2011	March (18)	Dialogue-Workshop in Berlin
2011	May (9)	Expert-Workshop in Frankfurt
2011	June – August	Test of applicability / pilot phase
2011	September	Multi-stakeholder forum
2011	October 13	Council for Sustainable Development (RNE) adopts GSC
2012	January	Publication of 1st edition of GSC (Text # 41)
2012	November	Multi-stakeholder forum
2013	February	Survey of stakeholders to assess reach and efficacy of GSC
2013	October	Workshop “A Sustainability Code for small- and medium-sized companies”
2013	November	Internet portal umweltportal.de for sustainable companies & innovations became a partner of the GSC
2014	February	GSC available in Greek
2014	March	German Council for Sustainable Development & Bertelsmann Foundation prepared GSC guidelines for small- & medium-sized companies
2014	June	GSC in the process of being updated (60 national & international representatives of business, associations, politics, consulting & academia discussed the new draft)
2014	June	Chancellor Angela Merkel addressed GSC in speech at annual conference of German Council for Sustainable Development
2014	June	German Sustainability Code becomes the Sustainability Code (to facilitate internationalization of the code)
2014	July	Draft of the guidelines for small- & medium-sized companies discussed
2015	Spring	Parliamentary evening with experts organized by the Sustainable Development Council (concluded that GSC fulfills EU guidelines)
2015	January	Publication of 2 nd edition of GSC (Text #47)
2015	June	Legal report also concluded that the GSC fulfills the EU guidelines
2015	October	Bundesvereinigung der Deutschen Ernährungsindustrie (BVE) published industry-specific guidelines
2015	December	User survey
2016		3 rd edition of GSC was published
2016	February	Workshop with relevant actors from EU member states
2016	February 15	Meeting at German Representation at the EU (Ständige Vertretung) – 70 high-ranking representatives from industry, politics, and civil society from various EU countries met (invited by RNE)
2016	April (12/13)	Multistakeholder Forum in Frankfurt am Main with 150 experts from economy, civil society, and politics
2016	October	Chancellor Merkel reappoints German Council for Sustainable Development (RNE)
2016	November 16	GSC-webinar in English
2016	November 24	9 th German sustainability day – GSC event with mentors and training partners
2017	February 22	Videoconference with participants from nine different countries (Rumania, Lithuania, Colombia, Brazil, Hungary, Thailand, Greece, Costa Rica, Egypt)

(Rat für Nachhaltige Entwicklung, 2012a, p. 2). It is not surprising that the German Council for Sustainable Development would choose this inclusive route given the fact that the council itself represents a cross-section of the various interests that make up German society. Specifically, it is comprised of fifteen public figures from the business community, religious groups, environmental organizations, academia, unions, and political institutions—all of whom are appointed by the chancellor for three-year terms.⁶

In 2009, directly following the global financial crisis and as an immediate reaction to it, the German Council for Sustainable Development initiated the creation of the German Sustainability Code by bringing together various stakeholders, including business representatives, investors, financial analysts, and academics (Rat für Nachhaltige Entwicklung, 2012b). The first official event that the council organized was a leadership forum organized to discuss capital markets and sustainability in November 2009. Six months later, in May 2010, an expert workshop brought together twenty investors, analysts, business representatives, academics, and experts of corporate governance. Based on the initial expert input from these two meetings, the first draft of the code was presented publically on November 29, 2010—one year after the initial meeting that first brought together various stakeholders and experts. The way that the creation of the code was put in motion already reveals the degree to which various interests were included in the process, particularly in the content creation itself.

⁶ Members of Council for Sustainable Development during the time that the German Sustainability Code was initiated: Horst Frank (Mayor Konstanz), Dr. Hans Geisler (former minister of state), Dr. Volker Hauß (former federal minister), Prof. Dr. Ute Klammer (political science professor), Prof. Dr. Edward G. Krubaski (Siemens), Thomas Loster (Münchener Rück Foundation), Prof. Dr. Jürgen Rimpau (German Agricultural Association), Prof. Dr. Georg Teutsch (Helmholtz Center for Environmental Research), Prof. Dr. Klaus Töpfer (former UN undersecretary & director of UNEP), Michael Vassiliadis (industry union IG BCE), Hubert Weinzierl (German Nature Protection Ring), Prof. Dr. Angelika Zahrt (BUND Friends of the Earth) (<http://www.nachhaltigkeitsrat.de/der-rat/mitglieder-des-rates/ehemalige-ratsmitglieder/>)

Following the presentation of the initial draft of the German Sustainability Code, a public input phase allowed stakeholders to react to the draft of the code and to make suggestions for changes, which further underscores the deep engagement of interests in the process of creating the code. For three months after the publication of the draft, written input from stakeholders was requested and a total of 75 organizations and individuals responded with their feedback, among them various business groups, corporations, academics, and non-profits. The majority of the responses came from consultants (25 percent), associations (19 percent), and large corporations (11 percent). In addition, financial service providers (9 percent), academics (7 percent), non-governmental organizations (5 percent), small- and medium-sized companies (4 percent), as well as unions (3 percent), among others shared their thoughts on the draft with the council (Bassen, 2011a, p. 10). The results of the public commenting phase were overall mostly positive. All non-governmental organizations viewed the code as positive as did most consultants and organizations close to the capital market. Most notably, there was broad support toward the overall goal of establishing the code to incorporate the principle of sustainability into effective, comprehensible, and credible action in the financial market. In addition, a majority of responses assessed the statutory anchoring of the code as well as the fact that it increases comparability and raises transparency were assessed to be benefits and strengths of the code (Bassen, 2011a, p. 14).

However, while the majority of commenters agreed that creating the code is a valuable and worthwhile exercise, there were disagreements on how to implement it. Thus, despite judging the code as having positive aspects, many groups did see a need for modifications. Unsurprisingly, most of the negative feedback came from large corporations and organizations representing business interests. Some of the criticisms that the commenters raised were the incomplete internationalization of the code, the fact that the scope and validity of the draft code

only extends to large corporations, as well as that the formulations are too imprecise and that the formulation of goals could be improved (Bassen, 2011a, p. 15). Other, less frequently cited criticisms were that using the code is very time-consuming, that sector-specific customization was lacking, that it does not include the whole supply chain, and that the standards are too low, i.e. that the code is an example of greenwashing (Bassen, 2011a, p. 15).

Two of the most significant points of contention were the means of implementing the code and the scope of its validity. Regarding the former, a variety of options were on the table, including tying the code to Article 161 of the German Stock Corporation Act regarding the German Corporate Governance Code as well as allowing companies to self-commit to the code. The draft proposed the first solution. The Federal Association of German Industry (BDI) and the Forum for Sustainable Development of German Business (econsense) argued that tying the code to Article 161 would be an approach that is alien to the existing system and they warned of the unforeseeable liability risks for companies (Rat für Nachhaltige Entwicklung, 2011a). The Chambers of Commerce and Industry (DIHK) agreed with that assessment noting that this approach is “contrary to the intended deregulation of the legal framework for corporations” (Rat für Nachhaltige Entwicklung, 2011a). Investment experts oppose this approach for another reason, namely that it limits the scope of the code’s validity. Tying the code to the German Stock Corporation Act, they noted, would essentially limit its relevancy to only stock corporations (Rat für Nachhaltige Entwicklung, 2011a). Investment experts, civil society groups, as well as some companies argued for an expansion of the code’s validity. Many argued, for example, that the code should apply to small- and medium-sized companies and other organizational forms, such as academic institutions. To accomplish an expansion of the code’s validity, the means of implementing it would have to be changed.

Two other points that were brought up were the supply chain and a potential pilot test phase. The association of German employers BDA criticized the draft of the code for seeking to include the assessment of sustainability for the whole supply chain. Such a broad application of the German Sustainability Code ignores the limited influence that companies have on their chain of suppliers, the BDA argued (Rat für Nachhaltige Entwicklung, 2011a). Of course, NGOs tend to have a contrary assessment of this point since it often is within the supply chain that most environmental and social issues need to be addressed. Finally, the Metro Group, which owns multiple electronics retailers, proposed a pilot phase to test the code—a suggestion that was taken up by the German Council for Sustainable Development (Rat für Nachhaltige Entwicklung, 2011a).

The fact that corporations and business groups provided a more negative than positive evaluation of the draft code during this commenting phase, can be viewed from different perspectives. For one, their comments and criticisms can be viewed as strengthening the code because they show their willingness to participate in the process instead of outright opposing it. Similarly, adjusting the code based on their feedback also increases the chances for a successful implementation of the code. However, as critics argue there is a tradeoff. Bending the code too much to the wishes of business interests ultimately weakens its environmental and social impact.

This extensive feedback from a broad variety of stakeholders informed the council's revision of the draft code. As it reworked the code based on the feedback, it becomes clear that the council addressed many of the criticism and incorporated the suggestions for improving the code. To follow up on the input phase and the comments it received, the council met with the supporters and critics during a dialogue workshop in Berlin on March 18, 2011 to discuss their

comments. This was followed by another workshop that also took place in Berlin two months later in May 2011.

Once the council revised the code based on the extensive feedback it received from numerous stakeholders, it requested that companies test the updated code in a pilot phase. The pilot phase, which took place from June to mid-August 2011, had been a concrete suggestion from one of the corporations participating in the earlier input phase. During this two-and-a-half-month period, 28 different companies “with a market capitalization of 463 billion euros and a total of 3,160,481 employees” participated in a test of applicability and essentially field-tested the German Sustainability Code (Rat für Nachhaltige Entwicklung, 2012a, p. 2). Based on the practical experiences they gained by using the code during this test phase, the participating companies made further recommendations to the council for adjusting the code.

Shortly after the test phase concluded, the council organized another multi-stakeholder forum in Frankfurt. The goal of the forum, which took place on September 26, 2011, was to conclude the dialogue and testing phase as well as to discuss the various options for the code’s scope of validity and its means of implementations. The council invited representatives of companies, associations, civil society, academia, and consulting firms, as well as the general public to participate in this forum. In his introductory remarks for the event, council chair Hans-Peter Repnik, a politician from the conservative Christian Democratic Union (CDU), noted that the code seeks to bring together capital and ideas. This, he argued, is why “it is so important to create the basic conditions for economic success” and why “we foster competency” for companies (Repnik, 2011).

It was also in September 2011, that we see some very limited explicit opposition to the German Sustainability Code. One of the very few to oppose the code outright was Dieter Hundt,

the president of the Confederation of German Employers' Associations (BDA) at the time. Hundt wrote a letter to all German employers asking them to boycott the German Sustainability Code. In the letter, Hundt noted, the code would lead to substantial pressure to accept bureaucracy that is of no use even if the code remains voluntary (Die Welt, 2011). Hundt's criticism, however, fell mostly on deaf ears. The Federation of German Industry (BDI), for example, did not agree with Hundt's assessment. Heiko Willems, director of the BDI's legal department at the time, argued that companies had recognized the commitment to German standards as an opportunity to persuade investors and business partners worldwide (Die Welt, 2011). Thus, many German employers viewed the code and sustainability reporting more broadly as an opportunity to distinguish themselves from their competitors.

Notwithstanding this opposition, the council revised and published the German Sustainability Code in October 2011. Based on both the test phase and the September workshop, the council revised the code criteria, included a commentary that explains key terms as well as the general approach, separated the notes helping with the operationalization from the key performance indicators, reduced the number of key performance indicators, left room for voluntary industry-specific indicators, and adjusted the template (Bassen, 2011b). Of the remaining twenty key performance indicators, companies view the following as particularly relevant: the weight of greenhouse gas emissions, energy use by primary energy source, weight of trash and disposal methods, as well as initiatives to reduce greenhouse gas emissions and their results (Bassen, 2011b). Regarding the implementation mechanism, the council decided in favor of the voluntary application of the code. Initially, it had proposed to tie the code to Article 161 of the German Stock Corporation Act; but after extensive criticism and feedback, it decided to change course. After incorporating these final revisions into the text of the code, the council

adopted the German Sustainability Code on October 13, 2011 and the first edition was published in January 2012.

The Implementation & Impact of the German Sustainability Code

Following the initial publication of the German sustainability code in 2012, the engagement of various interests continued as the Council for Sustainable Development advertised and further developed the code. Overall, the council relied upon a variety of strategies to broaden the impact of the code. Specifically, it developed a network of trainers and mentors, created a website and database as well as other communication tools, continued to gather input from stakeholders, and published industry-specific guidelines for various industries as well as for small- and medium-sized companies. Together, these strategies helped the code to garner more attention from companies and to increase the number of organizations using the code to report on their non-financial impact. Following, I discuss the implementation and the impact of the German Sustainability Code by addressing each of these strategies in more detail.

One way that the council sought to encourage the relevant stakeholders to adopt the code was to build a network of mentors and trainers that could help newcomers to implement the code in their organization. Local consulting firms, which the GSC-team partners with and coaches, conduct the trainings in the different regions of Germany. The training participants are generally representatives from companies and other organizations that want to use the code to report on their sustainability efforts. In particular, the trainings are aimed at facilitating the application of the code by small and medium-sized companies. By the end of 2016, the network of training partners had grown to over 100 trainers (Deutscher Nachhaltigkeitskodex, 2016d). The latest trainer instruction took place on January 25, 2017. Thirty-seven participants partook in the

Table 4.2: German Sustainability Code Trainings

Month	2015	2016	2017
January	0	6	8
February	0	7	10
March	0	11	21
April	1	10	13
May	1	8	16
June	0	18	
July	4	9	
August	0	7	
September	9	17	
October	12	12	
November	11	16	
December	5	7	
Average	3.6	10.7	13.6
Total	43	128	68

Source: GSC website

training and according to the March 2017 GSC newsletter, it will be the only training in 2017 since there are for now enough trainers available (Deutscher Nachhaltigkeitskodex, 2017c). All of the trainings are listed on the calendar on the GSC website. The earliest trainings that were listed took place in 2015, that year a total of 43 trainings were conducted, which averages to about 3.6 trainings per month. The following year, in 2016, the number of trainings increased to a total of 128 and a monthly average of 10.7. During the current year, the numbers continue to rise with a total of 68 trainings during the first five months of 2017, which comes out to a monthly average of 13.6. The increasing number of trainings reflects the increased interest in the code. The training concept, which includes a toolbox explaining the criteria, real life examples, and recommendations for activities, is also available to all chambers of industry and commerce. In addition to the trainers, representatives from organizations that already use the code serve as mentors to other organizations that seek to, but have not yet adopted the code. The network of mentors has also grown to forty by the end of 2016 (Deutscher Nachhaltigkeitskodex, 2016d).

The council built and continuous to build this network of trainers and mentors. Considering the rapidly increasing size and popularity of this network, it is reasonable to assume that it can play a critical role in facilitating the implementation of the German Sustainability Code.

In addition to building a network of trainers and mentors, the GSC-team also partnered with various industries to create industry-specific guidelines as well as guidelines for small- and medium-sized companies. These guidelines are meant to facilitate the application of the GSC within specific industries. Currently, such guidelines exist for the food and drink industry, the savings bank sector, the waste management industry and municipal sanitation, and the housing industry. Guidelines for the higher education sector and universities are in preparation (Deutscher Nachhaltigkeitskodex, 2016b). A guide for small and medium-sized companies was developed as well. The GSC-team created these various guidelines in cooperation with the relevant industry associations, such as the Federation of German Food and Drink Industries (BVE - Bundesvereinigung der deutschen Ernährungsindustrie) and the Association of German Banks (Bundesverband deutscher Banken, BdB). Furthermore, together with industry associations, the GSC-team has organized numerous events to reach out to companies and their representatives within these industries (Deutscher Nachhaltigkeitskodex, 2016b). Also, industry publications featured the GSC in various instances to inform their readership about the code and its applicability. Industry-specific guidelines and outreach efforts aim to help encourage more companies to use the code by making it not only better known, but also more easy to utilize. The fact that all of these industry associations have been so cooperative has played a critical role in the council's ability to offer industry-specific guidelines. What is more, the broad cooperation also reflects a level of support for that code that is critical for its success.

Adding on to the coverage about the German Sustainability Code in industry publications, the GSC-team itself also dispersed information through multiple avenues. For one, it provided information materials for industry events. In 2016, for example, it distributed such material for more than 130 events (Deutscher Nachhaltigkeitskodex, 2016d). Both the GSC staff and training partners also attended numerous events of industry associations and chambers to inform about the code in person (Deutscher Nachhaltigkeitskodex, 2016d). Additionally, the GSC-team organized informational events itself. During the first half of 2016, for example, they organized numerous events and activities to inform specifically about the EU CSR obligation to report as well as the ministry draft by the Federal Ministry for Justice and Consumer Protection, which is relevant because the GSC fulfills the new EU reporting requirement. Thus, the EU guidelines make an increased use of the code likely. One such event titled “CSR – Obligation to Report and Sustainability Code in Practice” was held in Berlin at the end of May 2016 and was aimed at informing newcomers. Seventy-five representatives of companies and associations attended the event (Deutscher Nachhaltigkeitskodex, 2016b). The GSC-team also sent out information mailings directly to relevant stakeholders. The June 2016 GSC newsletter noted that roughly 4,000 people have received informational mail (Deutscher Nachhaltigkeitskodex, 2016b). Overall, more and more informational events are taking place and the GSC staff keeps track of them in its online calendar (Deutscher Nachhaltigkeitskodex, 2017b). The communication and outreach efforts are designed to raise awareness of the code among all relevant stakeholders, including both individual companies as well as whole industries.

Several statistics indicate how successful these communication and outreach efforts were. Specifically, these statistics give insight into the popularity of two specific communication tools: the GSC website and newsletter. The number of website visits increased continuously. In the first

half of 2015, for example, the GSC website received about 70,000 visitors, which is roughly 10,000 more than in all of 2014 (Deutscher Nachhaltigkeitskodex, 2015c). So while the total website visits in 2014 added up to a total of about 60,000, that number more than doubled the following year when 154,504 visits were recorded, which then again improved to about 240,000 in 2016 (Deutscher Nachhaltigkeitskodex, 2016d). The interest in viewing the company profiles in the database, which also links to their compliance statements, also increased over time. In 2014, they were viewed 16,473 times; the following year, this number rose to over 25,000 (Deutscher Nachhaltigkeitskodex, 2015c). The quarterly GSC newsletter, which was first sent out in September of 2015, is also popular with 1,540 subscribers by the end of 2016. As these statistics illustrate, both the GSC website and newsletter reach a relatively large audience and their popularity continues to grow.

The German Sustainability Code database is another important communication tool to inform about the code. As part of the project “Climate Change, Financial Markets and Innovations,” which the Federal Ministry for Education and Research sponsored, the Sustainable Business Institute (SBI) created a database to keep track of the GSC reports that have been submitted (Deutscher Nachhaltigkeitskodex, 2017a). The GSC website points out that there are a variety of groups interested in the data provided through this database, including the companies’ own management, current and future employees, consumers, vendors, politicians, and investors. Based on a user survey conducted in December 2015, the companies that apply the code are foremost concerned with reaching consumers through their compliance statements (Sander, 2016). Beyond that they also expect to reach their employees as well as politicians.

To encourage the use of the code, the GSC-team later simplified the database with the aim of making it more user friendly. In particular, the integration of the GSC database with two

other reporting tools—the “CR-Kompass,” which “helps small and medium-sized enterprises (SMEs) to initiate corporate responsibility (CR) management and to produce sustainability reports,” and the “N-Kompass,” which is a professional database for the compilation of a sustainability strategy”—through an application programming interface (API) increased the ease of use as it allows for the import of data from these tools (Deutscher Nachhaltigkeitskodex, 2016d). Furthermore, the export of information from the GSC database to other databases is possible as well (Deutscher Nachhaltigkeitskodex, 2017c). Additionally, the large international database for CSR information and sustainability ratings CSRHub is a GSC cooperation partner for data export. WikiRate.org, which according to its website is “a place for everyone to bring together information on corporate practices [and to] evaluate it,” also partners with the GSC (Wikirate Project e.V., 2017). Finally, the GSC staff created an intranet on the GSC website to ease internal communication with its partners and trainers. Through the creation of a website and a database accompanying the code as well as the integration of the database with other tools, the GSC staff simplified the use of the code for both the participating companies and the public.

What all of these communication and outreach efforts seek to accomplish is to increase the number of companies using the code. Thus, the most critical measure of success is the number of companies and organizations participating and using the code to report on their environmental and social impact. By signing the compliance statement, stakeholders agree to report their sustainability activities and accomplishments based on the guidelines specified by the GSC. According to the GSC website, a total of 206 companies and organizations signed and submitted the GSC compliance statement. Among them are some of the largest German corporations, such as Deutsche Bank, Volkswagen, Miele, RWE, and Siemens. Most compliance statements come from the banking, insurance, and financial services sector (18.9 percent), the

Table 4.3: German Sustainability Code Compliance statements by sector
(current as of May 2017)

Sector	Companies/organizations	
	Number	Percent
Automobile industry	6	2.9
Banks, insurance, financial services	39	18.9
Chemical / Pharmaceutical industries	2	1
Chemical industry	4	1.9
Construction industry	3	1.5
Consulting industry and agency services	21	10.2
Consumer Goods Industry	17	8.3
Craft	2	1
Educational Institutions & Non-university research institutes	5	2.4
Electrical and electronics industry	3	1.5
Energy Utilities (others)	6	2.9
Energy Utilities (Renewable Energy)	3	1.5
Entertainment- and Information Services	2	1
Event and Trade Fair Industry	1	0.5
Food industry	7	3.4
Housing and real estate business	18	8.7
Information and Communication	2	1
Machine Construction	3	1.5
Other Services	14	6.8
Others	7	3.4
Raw Material Economy	6	2.9
Retail	8	3.9
Textile and Clothing Industry	2	1
Tourism, Hotel Industry and Guest Trade	6	2.9
Transportation and Transport Industry, Logistics	6	2.9
University	4	1.9
Waste Management Industry, Recycling Management	7	3.4
Water Management/ -industry	2	1

Source: GSC Database (Deutscher Nachhaltigkeitskodex, 2017a)

consulting industry and agency services (10.2 percent), the housing and real estate sector (8.7 percent), as well as the consumer goods industry (8.3 percent). As Table 4.3 illustrates, many sectors still have very few companies that use the code thus far, for example the event and trade fair industry as well as the textile and clothing industry so there is certainly room for improvement. Even though most of the stakeholders, who signed compliance statements, are corporations, the “German Council for Sustainable Development recommends that, regardless of their size, all production and commercial companies, service enterprises, all organizations, foundations, NGOs, trade unions, universities, scientific organizations and the media apply the German Sustainability Code” (Rat für Nachhaltige Entwicklung, 2012a). Overall, we have seen a steady increase in GSC reporting. According to the GSC newsletters, the number of companies that have reported on their non-financial impact using the code has increased from 99 in September 2015 to 189 in March 2017. The actual number of annual reports that these companies published rose from 214 in September 2014 to 369 in March 2017 (cf. Table 4.4).

In addition to promoting the code to increase its use by companies and other organizations, the council, throughout this time, also pursued the debate about the continued improvement of the code—a process in which it also engaged the various stakeholders that were already part of the initial creation of the code. In 2013, for example, the council commissioned a survey of stakeholders to examine the implementation and impact of the code (Deutscher Nachhaltigkeitskodex, 2013). A group led by University of Hamburg Professor Alexander Bassen surveyed three groups—companies (N = 70), capital market actors (N = 163), and non-governmental organizations (N = 35). The survey data shows that a majority of the companies believe that the code increases transparency (56 percent) and advances the idea of sustainability (72 percent). The main benefit of the code from the perspective of capital market actors is an

Table 4.4: Number of participating companies and number of reports

Quarter	Companies	Reports
September 2015	99	214
December 2015	112	236
March 2016	124	247
June 2016	134	271
September 2016	155	310
December 2016	172	345
March 2017	189	369

Source: GSC database

increase in credibility. And both companies and capital market actors view the code as a signal that a company seeks to be a leader in the area of sustainability. Almost all of the respondents agreed that it is necessary for the code to evolve from a transparency instrument to a performance standard (Deutscher Nachhaltigkeitskodex, 2013).

Following this survey of stakeholders, the council brought together various stakeholders to discuss the revision of the code (Deutscher Nachhaltigkeitskodex, 2014). A total of 60 representatives from business, associations, politics, consulting, and academia debated an updated draft of the German Sustainability Code. The goal of the revised version was to ease the use of the code. The criteria themselves remained largely the same. One of the suggestions brought up in the discussion was that there should be greater coordination between the German Sustainability Code and the European guidelines—an issue that was thereafter addressed and explored in greater detail (Deutscher Nachhaltigkeitskodex, 2014). Ultimately, the EU guidelines were incorporated into German law when the Bundestag passed a law in March 2017, which I discuss in detail in the next section. Following the extensive feedback from these stakeholders, the draft was again revised and an updated version of the code was published in January 2015.

Overall, the implementation of the code was rather successful even though there continuous to be room for further improvements. Not only did the council advertise the code heavily among the relevant stakeholders, it also continued to engage them in the process of further improving the code. Also, it is important to note that the stakeholders that have signed on to the GSC represent a large portion of the German economy, which reflects the success of the inclusive development strategy that the German Council for Sustainable Development put in place to create, adjust, and implement the code. When 150 experts representing the economy, civil society, and politics met at a multistakeholder forum in Frankfurt am Main in mid-April of 2016 to discuss the Paris climate accord, the U.N. sustainable development goals, and the upcoming EU CSR reporting guidelines, they agreed that the GSC is already highly effective and attractive (Deutscher Nachhaltigkeitskodex, 2016b). Nevertheless, despite the already rather substantial success of the code, more remains to be done to implement the code even more broadly. For example, the German government wants companies with majority participation of the federal government to increasingly adopt the code⁷ (Deutscher Nachhaltigkeitskodex, 2017c: 1).

Internationalization: EU Guidelines & Adaptation in Other Countries

The German Sustainability Code has not only been implemented rather successfully in Germany, it has also garnered a substantial amount of interest from abroad. At least part of the international attention, and the domestic success for that matter, is likely due to the relatively new European Union Corporate Social Responsibility reporting guidelines. These guidelines were initially put in place in December 2014 and they require that companies with more than 500

⁷ German original quote: “möchte [...] erreichen, dass insbesondere Unternehmen mit Mehrheitsbeteiligung des Bundes verstärkt den DNK anwenden”

employees, which are listed on EU markets or active in the bank and insurance sector, report on the non-financial aspects of their work, which includes in particular their social and environmental impact, in their own corporate reports (European Commission, 2016). The roughly 6,000 companies that meet these criteria are required to begin reporting starting in 2018 for the 2017 fiscal year (European Commission, 2016). To implement these new guidelines, the EU requires that every member state incorporates them into national law by the end of 2016—a process which I discuss in greater detail in the following section. The new EU guidelines are relevant for the GSC because companies can use the code to fulfill this new requirement. The EU commission itself views the GSC as a possible standard for companies to comply with these new guidelines (Rat für Nachhaltige Entwicklung, 2015a, p. 8). A June 2015 external legal report confirmed that the German Sustainability Code fulfills the EU guidelines. Thus, it is likely that starting in 2018 more companies both in Germany and in other European Union member states will make use of the German Sustainability Code to fulfill the EU CSR reporting guidelines.

The successful steps towards the internationalization of the code, however, are not merely a result of the adoption of the EU CSR reporting guidelines; in addition, the GSC-team has also worked towards making the code appealing to international stakeholders both in Europe and beyond. This begins with the fact that the code was designed as shareware, which means that the code is flexible and different countries can adapt it to their own needs (Deutscher Nachhaltigkeitskodex, 2016b). Thus, the code is suitable for international companies and organizations. To enable the code's adaptation in other countries and to encourage its use by international stakeholders, the GSC was translated into multiple languages, thus far namely English, French, Greek, Russian, Hebrew, and Spanish (Deutscher Nachhaltigkeitskodex, 2016d). The GSC-team also organized various events to facilitate the adoption of the code in

other countries. For example, in November 2016 a webinar was conducted in English and in February 2017 a GSC video conference took place with participants from nine different countries—both European (Rumania, Lithuania, Hungary, Greece) and non-European countries (Colombia, Brazil, Thailand, Costa Rica, Egypt). As this brief summary indicates, the GSC-team not only designed the code in a way that allowed for its adaptation abroad, but it also made active efforts to accomplish this goal.

The efforts to popularize the code abroad have already been somewhat successful. As the March 2017 GSC Newsletter notes there is increasing interest in the code abroad (Deutscher Nachhaltigkeitskodex, 2017c). Specifically, Japan as well as Latvia are interested in adapting the code and Austria has successfully is testing the sustainability code (Deutscher Nachhaltigkeitskodex, 2016b). According to the June 2016 GSC Newsletter, the Academy for international cooperation tests the value of the GSC for Asia (Deutscher Nachhaltigkeitskodex, 2016b). In that context, an event was held in Bangkok, Thailand. The most successful example of the international adoption of the code is the Greek sustainability code, which was developed by the non-profit Quality Net Foundation based on GSC presented at the beginning of April 2016. For countries interested in following the Greek example, the GSC-team recommends that these countries perform their own shareholder dialogues to engage the relevant stakeholders in those countries in the process of adapting the GSC to the needs of that country (Deutscher Nachhaltigkeitskodex, 2017c).

In summary, the EU CSR reporting guidelines provide an impulse for the German Sustainability Code. It is likely that more companies and organizations both in Germany and abroad will start to make use of the code to fulfill this new EU reporting requirement. In addition, there have been increasing efforts to adapt the German Sustainability Code in other

countries—both European and non-European ones. As a consequence of these two trends, it is likely that the code will gain further popularity and that it will be adopted more and more abroad.

The Interplay of Opposing Interests:

Inclusion as a Strategy to Keep Opposition to a Minimum

The analysis of the process of developing, implementing, and internationalizing the German Sustainability Code reveals a policy regime building process that deeply engages a broad variety of interests. The inclusive multi-stakeholder approach facilitated the policy regime building process and resulted in the establishment of a successful sustainability reporting tool. This process was driven by the Council for Sustainable Development, an institutional structure that was established almost ten years prior to the development of the German Sustainability Code. The Council for Sustainable Development built broad interest support in favor of the German Sustainability Code by engaging representatives of corporations, business associations, unions, and non-governmental organizations as well as investors, financial analysts, and academics. Thus, the council established a broad base of interest support that covers both business and environmental interests, among others.

This strategy kept the amount of outright opposition to a bare minimum, but that does not mean that there were no opposing interests. The different stakeholders did not necessarily agree on how to implement the idea and they did not support it with the same fervor. Nevertheless, a majority of the stakeholders did agree that it is useful and necessary to engage with the idea instead of outright dismissing and opposing it.

Ultimately, engaging all of these stakeholders in the process of developing the German Sustainability Code had two consequences. On the one hand, it strengthened the resulting policy regime and substantially increased the chances for sustainability reporting to gain traction. The broader the base of interest support, the less likely the idea is to drown in opposition. Therefore, it is an effective strategy to include all of these stakeholders in the process and to give them a stake in the resulting sustainability reporting tool. On the other hand, adopting this strategy influenced the content of the code. Some of the stakeholders who participated in the development process of the code voiced their opposition to certain elements of it as part of the process and their feedback—positive as well as negative—was then incorporated into the subsequent drafts. Ultimately, critics and environmental interests may argue that the feedback from business interests weakened the substance of the code. An inclusive development process certainly opens up this possibility and it is unlikely that radical change is accomplished this way, yet it enables the implementation process and thereby might provide a successful strategy for incremental change.

The multi-stakeholder approach also carried over into the code's implementation phase. The council cooperated with various industry associations to advertise the code and to develop industry-specific guidelines that are meant to facilitate the adoption of the code within these industries. Following this strategy resulted in a continuously increasing number of companies using the code to report on the non-financial impact of their economic activity. Finally, the code has even seen some success beyond the German borders, which speaks to its popularity. With the establishment of the EU CSR reporting guidelines, it is likely that the use of the code will further increase in the next few years.

The Institutional Context: The Federal Government & the Bundestag

It is important to assess the relevant institutional structures and how they address a policy idea to evaluate their impact on the policy regime building process. While this generally includes both existing and newly created institutions, no new institutions were established to specifically deal with the German Sustainability Code. This is not surprising since an extensive institutional structure handling sustainable development had already been put in place before the code was first initiated. The existing institutional structure then enabled the development and implementation of the German Sustainability Code. Thus, I focus on how the already existing institutions have engaged with sustainability reporting.

When policy entrepreneurs take up a policy idea and address it within the institutional structures they work in, these ideas gain traction. As the initial development of the German Sustainability Code shows, an idea can already gain some traction when an individual institution picks it up. With the code, this was the case because the Council for Sustainable Development initiated its establishment. The Council for Sustainable Development, which was established in 2001, played a key role in developing the German Sustainability Code since it started the multi-stakeholder process through which the code was created. It brought together various stakeholders and interest representatives to build broad support for the code and continued to engage them in the process of implementing and updating the code. Thus, the council served and continues to serve as an institutional pillar supporting the German Sustainability Code. However, the council lacks the power to pass legislation. Thus, it is important for the governing coalition to adopt the idea of sustainability reporting, since it has the power to pass legislation to strengthen its impact. Consequently, in the German parliamentary system, the Bundestag represents a critical institutional hurdle for ideas to gain traction.

Furthermore, it is important to keep in mind that the interplay of interests and their engagement with the idea tie into the institutional structure for at least two reasons: 1) Each of the parties represented in the Bundestag is close to different interests. While the Christian Democrats are considered to be close to business interests, the Social Democrats have close ties with unions and the Greens with environmental organizations. 2) Various interests were invited to participate in the policy process, in this case as expert witnesses in a committee hearing.

In what follows, I discuss the role of the federal government and the Bundestag in the establishment of the German Sustainability Code and the advancement of sustainability reporting more generally. Finally, in addition to the Council for Sustainable Development as well as the federal government and the Bundestag, it is important to note that the European Union is a critical institutional actor with regards to sustainability reporting. While I do not discuss the EU here separately, it is necessary to point out that the adoption of the European guidelines for CSR reporting represents a policy impulse that affects national policymaking and boosted the idea of sustainability reporting in Germany. By requiring that its member states incorporate the EU CSR reporting guidelines into their national law, the European Union helped the idea of sustainability reporting to gain traction.

The Federal Government: Symbolic Support

Based on speeches and other activities, it becomes rather clear that the federal government and in particular Chancellor Merkel supports the German Sustainability Code, though Merkel and her governing coalition have also been criticized for that support being merely symbolic and not substantial. The Council for Sustainable Development has driven the establishment of the code and although it acts independently, it does have ties to the federal

government, specifically the chancellor. Not only does the chancellor appoint the members of the council, but Angela Merkel has also lent institutional support to the council and its work by delivering the keynote speech at every annual conference of the Council for Sustainable Development during her tenure as chancellor.

Several of Chancellor Merkel's speeches at the annual conferences of the Council for Sustainable Development reference the German Sustainability Code explicitly and provide a window into the level of her support for the sustainability reporting tool. During her speech at the 2012 annual conference of the council, for example, Merkel emphasized: "The federal government supports the code. We advocate for even more companies applying it." Two years later, in 2014, Chancellor Merkel "announced that she would work towards greater dissemination of the Sustainability Code" and that she seeks to accomplish that through "concrete measures," including by stressing sustainability in public procurement. Quoting the coalition agreement between her Christian Democratic Union and the Social Democrats, Merkel noted that sustainability is a "fundamental objective and benchmark of government action" (2014). At the 2015 annual conference, Merkel stressed that she continually advertises the sustainability code and that she believes more companies should use it (Merkel, 2015b). Additionally, she noted that she should use this as encouragement for herself to raise questions about the sustainability code during her visits of various companies—not only companies that already use the code, but also those that may make use of the code in the future (Merkel, 2015b). Her ultimate goal, she argued, is to increase transparency to shed light on the conditions under which products are manufactured (Merkel, 2015b).

Despite these assurances, the federal government's and Chancellor Merkel's support for the German Sustainability Code remained mostly symbolic. The chair of the Council for

Sustainable Development Marlehn Thieme stressed this point during the 2014 annual conference of the council. Specifically, Thieme “criticized the outcome of the grand coalition [between the Christian Democrats and the Social Democrats]: sustainability, she said, had, to date, played no role in this legislative period” (Rat für Nachhaltige Entwicklung, 2014). Further, Thieme argued: “While sustainability finds general consensus, she believes this too often remains vague, however, and without any concrete consequences” (Rat für Nachhaltige Entwicklung, 2014). To change that she called on the federal government to establish a binding framework that promotes sustainable economic activity.

The fact that companies that are partly owned by the federal government have been slow to adopt the German Sustainability Code has been a point of criticism that the Green party has raised to criticize the governing coalition. In August 2012, the *Handelsblatt* newspaper pointed out that these companies had been slow to make use of the code, while some of the largest private corporations had already adopted it to report on their sustainability efforts (Creutzburg, 2012). Right before the publication of this article, the Green party faction in the Bundestag had raised the question of how many companies that the federal government held a stake in had thus far adopted the German Sustainability Code. The governing coalition responded by noting that all of the then 18 companies that had submitted declarations of conformity were fully privately owned; thus, none of the companies that are partially owned by the federal government were applying the code at the time (Creutzburg, 2012). It took until April 2015 that the federal government was able to report that more and more companies that are partially own by it were now participating in the German Sustainability Code (Bundesregierung, 2015). A total of seven of these companies had submitted a declaration of conformity with the code, among them the telecommunications company Telekom AG and the transportation company Deutsche Bahn AG

(Bundesregierung, 2015). Given that there are more than 100 companies in Germany that the federal government has a stake in, this remains a small percentage.

Overall, the federal government appears to support the German Sustainability Code, but that support remains largely symbolic. Chancellor Merkel praised the code in several speeches she gave at the annual conferences of the Council for Sustainable Development. The government, however, has not passed any legislation to underpin and strengthen the code or exerted enough pressure on companies, particularly those partly owned by the government itself, for them to apply the code. It was not until the European Union required Germany and its other member states to incorporate the EU CSR guidelines into national law that the German governing coalition introduced legislation to address sustainability reporting.

The Bundestag: Incorporating the EU CSR Guidelines into National Law

Throughout the development and early implementation phase of the German Sustainability Code, the Bundestag was not in any way involved in the process of creating or maintain the code mainly because it is a voluntary instrument that did not require any legislative action. But in 2016, the Bundestag took up the issue of sustainability reporting more broadly due to the fact that the European Union established Corporate Social Responsibility guidelines in 2014 and the subsequent need to incorporate them into national law. The EU required that every member state integrate the reporting guidelines into their national policymaking by the end of 2016. As this section lays out, this process brought together several different actors, including the governing coalition and the opposition parties in the Bundestag, the Bundesrat, which represents the states and has to consent to legislation before it can go into effect, as well as various stakeholders and interest representatives that were invited to testify about the proposed

bill at a committee hearing. As a consequence, assessing the institutional context provides another window into the interplay of the opposing interests.

Based on this EU requirement, the German federal government initiated the incorporation of the EU CSR guidelines into German law at the end of 2016. The governing coalition between the Christian Democrats and the Social Democrats introduced the bill, which was drafted by the Federal Ministry of Justice and Consumer Protection and its minister Heiko Maas (SPD), into the Bundestag and the Bundesrat (Deutscher Bundestag, 2016a; Bundesrat, 2016).

Following the introduction of the bill, the whole Bundestag debated the draft of the bill for 25 minutes on October 20, 2016 and then assigned it to the Committee for Law and Consumer Protection (Deutscher Bundestag, 2016c). In the general debate, supporters and opponents of the bill alternated in making their statements to the full chamber. The supporters of the bill praised the accomplishments of the reporting commitment as providing more transparency and increasing consumer and investor confidence in the participating companies by both consumers and investors. They argue that the reporting guidelines are “mandatory but balanced” (Ulrich Kelber, Deutscher Bundestag, 2016c, p. 19559). It is important to note that the opposition does not criticize the existence of the mandatory reporting guidelines. Instead, both the Left and the Green party argue that they do not go far enough. Karin Binder, a member of the Left, pointed out that German companies violate human rights abroad or at least tolerate their violation alluding to the critical issue of the supply chain. From her perspective, “the present bill puts the interests of business above the societal and environmental interests of people and employees” (Deutscher Bundestag, 2016c, p. 19560). In particular, the opposition parties called for a broader application of the guidelines. As written, the bill only requires 300 German companies to report on their non-financial impact. This represents only a very small faction of

the total number of German companies that could be asked to report on their broader impact. As Karin Binder from The Left noted, the total number of German companies is roughly 11,200. Based on this statistic, the guidelines would only affect about 2.7 percent of German companies (Deutscher Bundestag, 2016c, p. 19560). Nevertheless, those companies represent a large share of the German economy. Both the Greens and the Left demanded that all German companies that participate in global trade and that have 250 or more employees should be required to report. Dr. Heribert Hirte from the conservative Christian Democrat faction responded to this demand by noting that while he is sympathetic to it, it would require a significant amount of administrative effort from companies, which he views as too much to expect particularly from small and medium-sized companies. Hirte argued:

Therefore, it is correct not to include small and medium-sized companies in the reporting duty, not to incorporate additional topics [...] into the bill, [...] and not to require that the Corporate Social Responsibility information must be reviewed by an external expert for accuracy. (Deutscher Bundestag, 2016c, p. 19561)

The Greens disagreed with the arguments of the governing coalition and introduced a petition regarding the bill on October 19, 2016 (Deutscher Bundestag, 2016b). The petition criticizes that the proposed bill to incorporate the EU guidelines into German law watered down the European specifications. Specific points of criticism are that the bill only requires a small number of companies to report only on the non-financial risks that impact their business activity (Deutscher Bundestag, 2016b, p. 2). In addition, the petition notes that the bill only requires reporting on serious negative consequences, not probable negative consequences (Deutscher Bundestag, 2016b, p. 2). Thus, the Greens demand a stronger implementation of the EU guidelines, including an external verification, government sanctions for violations, and an evaluation of the reporting requirement after five years (Deutscher Bundestag, 2016b, p. 2-3).

Furthermore, they request a broadening of the requirement to more companies arguing that the reporting on sustainability indicators should become self-evident (Deutscher Bundestag, 2016b, p. 2).

There are a number of conclusions we can draw from the exchange between the supporters and opponents of the bill to incorporate the EU reporting guidelines into national law during the plenary session. Most importantly, none of the parties represented in the Bundestag outright oppose the guidelines. Instead, all of them offer their general support for requiring companies to report on their CSR efforts. However, for the opposition, the proposed bill does not go far enough. Thus, they seek a broader and more rigorous reporting requirement.

Following the first debate, the bill entered the committee stage. Several committees as well as the Parliamentary Advisory Board on Sustainable Development were involved in this process. Among the committees dealing with the bill were the Committee on the Environment, Nature Conservancy, Building and Nuclear Safety, the Committee on the Affairs of the European Union, and the Committee on Labor and Social Affairs. But it was the Committee on Legal Affairs and Consumer Protection that led the charge. The Parliamentary Advisory Committee on Sustainable Development monitored the process and offered its expert opinion.

The Committee on Legal Affairs and Consumer Protection held a hearing with expert witnesses to address the bill on November 7, 2016. The witnesses represented a variety of interests, foremost business interests and consumer advocates. According to the official list, seven expert witnesses were invited to testify to the committee about the proposed bill to implement the CSR guidelines as well as the Green Party's petition in response to the proposed bill. The witnesses represented the non-governmental organization Germanwatch e.V., the mail-order firm Otto, the Association of the Chemical Industry, the consumer protection organization

Voice of the Consumer, the Incorporated Association and Institute of Public Auditors in Germany, and the Association for Assistance in the Development of Accounting Law for Family Businesses (VMEBF). The final witness was the Austrian author Christian Felber.

Unsurprisingly, the expert witnesses that were invited to the committee hearing to comment on the draft bill to implement the EU guidelines into German law had differing perspectives on and recommendations. The opposing interests come through in the written comments provided by the expert witnesses as there was substantial disagreement on a number of issues. Specifically, many of the witnesses addressed the questions of how many and which companies the reporting requirement should apply to. On the one hand, the witnesses that represented the civil society, i.e. Germanwatch, Voice of the Consumer, and author Christian Felber, recommended that companies with 250 employees instead of 500 employees should be required to report. On the other hand, those representing industry interests either did not comment on the issue since the draft of the bill set the reporting requirement for companies with over 500 employees or they explicitly welcomed the wording offered in the draft (e.g. Verband der Chemischen Industrie e.V., 2016). Another contentious point was one already brought up by the Green party, namely the distinction between “probable negative consequences” and “very probable serious consequences.” Again, the civil society groups Germanwatch and Voice of the Consumer advocated for a broader phrasing so that companies would have to report on activities that have “probable negative consequences,” a phrasing that corresponds with that of the EU guidelines Germanwatch e.V. 2016; Verbraucherzentrale Bundesverband e.V. 2016). Similarly, the inclusion of the supply chain was advocated for by Germanwatch, while this point generally encounters opposition from business interests and conservative politicians. Author Christian Felber argued that the draft overall provides companies too much leeway about what content to

include in the reporting and what to leave out (2016). Thus, he noted, more precision regarding the content requirements is necessary (Felber, 2016). There are several other points of contention, but the picture is clear: The civil society groups in attendance at the committee hearing argued in favor of strengthening the bill, while those representing business interests maintained that broadening the reporting requirements would be too costly for businesses (Germanwatch e.V., 2016; Verbraucherzentrale Bundesverband e.V., 2016).

In addition to the activities surrounding the bill in the Bundestag, the Bundesrat also responded to the draft bill. The Bundesrat represents the sixteen governments of the federal states and city states and because of German federalism, it participates in the legislative process and must consent to bills otherwise they cannot enter into force. In late 2016 and early 2017 when the bill was debated, the Greens and the Social Democrats dominated the Bundesrat as they the two parties were represented in a majority of state governments. In response to the proposed bill, the Bundesrat criticized the wording specifying which activities companies are required to report on, which refers to the distinction between “very probable serious negative consequences” and “probable negative consequences” (Bundesregierung, 2016b). The fact that the Bundesrat’s critique is in line with the national Green party argument and those made by civil society groups is not surprising given that the Bundesrat was less conservative at the time than the Bundestag. In response to this critique from the Bundesrat, the Bundestag noted that it does not want to act on the suggestion to broaden the definition of which activities to include in the reporting (Bundesregierung, 2016b).

Following the first plenary debate, the committee hearing, and the response from the Bundestag, the governing coalition party factions in the Bundestag voted in favor of a more business friendly version of the bill than the opposition parties advocated for. In fact, every

committee that was involved in the process voted on the bill and in each committee, the Christian Democrats and Social Democrats voted in favor of the bill, while the Greens and the Left opposed it. In the explanations of their votes, the factions justified their choice to support or oppose the bill. The Christian Democrats note that the reporting requirements the bill puts in place are proportional. In addition, the faction argues that the voluntary verification of the reports would not be in effect until the business year 2019 and that the bill does not specify which external framework to use for reporting (Deutscher Bundestag, 2017a). The Social Democratic faction, which is the junior partner of the Christian Democrats in the governing coalition, lament that it would have preferred a broader application of the requirements, meaning that more companies would have to report on the non-financial impact of their activities (Deutscher Bundestag, 2017a). The Greens and the Left, both of which voted against the bill, criticized the lack of an external and mandatory verification of the reports as well as the limited application (Deutscher Bundestag, 2017a).

The Interplay of Interests, Ideology, & Institutions

The federal government and the Bundestag drive national policymaking in Germany. The governing coalition can promote an idea by passing laws that strengthen the regulatory framework dealing with it. Therefore, the Bundestag is an institutional hurdle that an idea must surpass to unfold its full potential and to build the foundation for a strong policy regime. However, it was the Council for Sustainable Development that initiated and followed through on the process of establishing the German Sustainability Code and of course the council does not have the power to write laws. Thus, the code was created as a voluntary instrument that has the broad, but as critics argue mostly symbolic support of the federal government. The chair of the

Council for Sustainable Development Marlehn Thieme, who was appointed by Chancellor Merkel, criticized Merkel's own governing coalition for failing to create a binding framework that promotes sustainable economic activity. Ultimately, while the German Sustainability Code has both institutional and interest support, it needs the binding framework that Thieme called for to become the ideational foundation of a strong sustainability reporting policy regime.

It was not until the European Union required that Germany as well as its other member countries incorporate the new EU CSR reporting guidelines into their national law, that the Bundestag took up the issue of sustainability reporting. With the votes of the governing coalition, the Bundestag passed a relatively business-friendly law to fulfill its EU obligation. For the opposition parties, the bill that was passed in March 2017 does not go far enough. Still, to date, this is the only legislation relating to the German Sustainability Code, which companies can use to fulfill the new EU CSR reporting requirement.

Overall, there is a general consensus about the importance of the idea of sustainable development within the governing institutions, but this consensus remains vague and lacks specificity. In contrast to the United States, it should be mentioned, there is no significant opposition to the idea of sustainable development and sustainability reporting within the national policymaking institutions. Rather there is support for different versions of sustainable development. One that calls on the business community to take the responsibility and move the idea forward without the government interfering with too much regulation of economic activity. Another one that calls for strong regulations on companies to ensure that they act sustainably. Under Chancellor Merkel, the first version dominates the national policymaking institutions.

The Role of Contextual Factors

In addition to the strength of the ideational foundation, the alignment and engagement of various interests, and the institutional context, several contextual factors had the potential to affect the creation, implementation, and success of the GSC specifically as well as sustainability reporting generally. In particular, I focus on the existence of external shocks, such as natural disasters, the state of the economy, public opinion towards the environment, and the role of ideology. Below I address each of these factors and briefly address the extent to which each seemed to have an influence on whether the German Sustainability Code to gained traction.

External Shocks

Large disasters always have the potential to redirect the policy agenda and to shift the policy debate. But during the time that the GSC was developed, no severe natural or technological disasters occurred in Germany. The largest natural disaster during that time period was extreme temperature in 2009, which caused 14 casualties, and the most significant technological disaster was the accident at the 2010 techno-music festival Love Parade with 19 people casualties (Centre for Research on the Epidemiology of Disaster, 2009). Neither of these affected the development of the German Sustainability Code.

Outside of Germany, however, the Fukushima Daiichi nuclear disaster, which followed a massive earthquake and tsunami in Japan in March 2011, sent shockwaves through German policymaking. It impacted the trajectory of German energy policy directly. After the Social Democratic and Green Party coalition decided to end nuclear power generation in Germany in 2000, the more conservative government built on a coalition between the Christian Democratic and Liberal Democratic Party decided to slow the liquidation of nuclear power in 2010.

Following the nuclear disaster in Fukushima, however, the conservative government changed course again and ended nuclear power once more. While this external shock had a clear impact on German energy policy, whether it had an effect on the development of the GSC is not as clear. It should be mentioned though that several of the GSC criteria address energy use, so it is possible that the disaster affected the code indirectly by further increasing the support for renewable energy sources like wind and solar. None of the primary documents that I reviewed made a single reference to the disaster and by that point, the development of the code was already well under way.

The State of the Economy

The GDP growth rate during the year that the GSC was initiated with a leadership forum should have prevented it from moving forward if we follow the logic that the focus shifts to economic issues and away from environmental ones during challenging economic times. In 2009, the growth rate dipped to -5.6—an all-time low, which was due to the global financial crisis (World Bank, 2017a). From 2008 to 2010, the unemployment rate ranged from 7.1 to 7.7 percent, which is lower than it had been in the mid-2000, but not as low as it has been more recently (World Bank, 2017b).⁸ For comparison, the unemployment rate in the United States in 2009 was 9.4 percent. Based on these indicators, it should have been difficult to move any environmental policy efforts forward during the period following the global financial crisis, which was triggered by the crash of the U.S. housing market in 2008. However, the challenging state of the economy did not inhibit the development of the GSC. To the contrary, as the council itself pointed out, the financial crisis served as a trigger to initiate the development of the code

⁸ In 2005, the unemployment rate peaked at 11.1 percent and in 2014 it was 5 percent.

(Rat für Nachhaltige Entwicklung, 2012b). Consequently, the state of the economy did affect the German Sustainability Code, but in the opposite direction than one might assume.

Public Opinion

Particularly for elected officials who are interested in reelection, public opinion is often a factor driving policy action. During the initial development of the code, the impact of public opinion may have been more limited since the members of the council are not elected. But favorable public opinion could have still put some pressure on the stakeholders that may have affected their participation in the process.

Views towards the environment and environmental policy were generally favorable in Germany during the time that the GSC was developed. The 2008 survey of environmental consciousness in Germany conducted by the Federal Environmental Agency found that a majority of Germans perceived environmental protection as a policy priority. When asked to name the most important policy priorities, 22 percent of respondents mentioned environmental protection as one of their top two answers (Umweltbundesamt, 2008). In 2010, that number dropped to 20 percent, but still environmental protection remained one of the most important policy priorities (Umweltbundesamt, 2010). Unsurprisingly, the job market was rated as the top policy priority both years with over 50 percent of respondents naming it. Thus, economic concerns are still dominant over environmental concerns (Umweltbundesamt, 2008 & 2010). In 2012, when the first edition of the GSC was published, the number of Germans who viewed environmental protection as a policy priority even jumped to 35 percent (Umweltbundesamt, 2012). Interestingly, this number is still much lower than it was during the first half of the 1990s when an average of 46 percent of respondents judged environmental protection to be one of the

key policy priorities (Umweltbundesamt, 2012). In addition, the 2008 survey found strong support for sustainability principles. For example, 96 percent fully or mostly agree with the principle of intergenerational justice. The survey measured similarly high support for the principles of sustainable resource use, fair trade between industrialized and developing countries, and protecting the scenic landscape and character of Germany (Umweltbundesamt, 2008). Finally, when respondents were asked whether the German federal government is doing enough for environmental protection, only a very small minority of respondents believed that the government should do less than it does and this was the case for every survey between 2000 and 2012 (Umweltbundesamt, 2012).

Overall, views towards the environment and environmental protection were generally favorable. But economic concerns still dominated over environmental concerns. Nevertheless, those participating in the process of developing and implementing the German Sustainability Code as well as the representatives voting on the incorporation of the EU CSR guidelines into German national law could assume that their efforts would be viewed positively by the general public, i.e. their voters and customers.

Ideology

As a close look at both the creation of the German Sustainability Code and the incorporation of the EU CSR guidelines illustrates, ideology does play a role in the policy regime building process. But instead of preventing the code from being created or adopted altogether, it impacts the details of how it is implemented, specifically its scope of validity, means of implementation, and other components. Business interests successfully made their case for a less intrusive version of the code as well as a less stringent adaptation of the EU CSR reporting

guidelines than environmental and human rights organizations would have liked to see. This, of course, was aided by the dominance of the Christian Democratic Union, the ideological underpinnings of which tend to be in line with business interests.

Summing Up

All four of these contextual factors likely played some role in the policy regime building process surrounding the German Sustainability Code. Interestingly, the state of the economy had the clearest and most direct impact on the development of the code, but in the opposite way than expected. The 2008 financial crisis did not undermine the development process, instead it initiated it. For the Council for Sustainable Development the crisis was a reason to rethink economic activity and to make it more sustainable. The Fukushima Daiichi nuclear disaster had a clear impact on German energy policy, but whether it directly influenced the development of the German Sustainability Code remains unclear. Public opinion was generally supportive of environmental policy action like the establishment of the sustainability code, even though economic issues remained the dominant priority. Finally, ideology shaped the debate about the German Sustainability Code but did not prevent the debate from taking place. Instead, it had a substantial impact on how the code was implemented.

Conclusions

The Council for Sustainable Development created the German Sustainability Code through a multi-stakeholder process that engaged a broad variety of interests, including representatives from businesses and environmental organizations. Once the code had been published, the involvement of interests continued throughout the implementation process. For

example, the council partnered with industry associations to promote the code and to compose industry-specific guidelines. Throughout this process, the number of companies that use the code to report on their sustainability efforts increased steadily. The incorporation of the European corporate social responsibility reporting guidelines into German law is likely to further increase the use of the code among the companies that are affected by the requirement in the near future, since the code fulfills these new EU requirements. What is more, even before the EU guidelines have taken effect, a variety of European and non-European countries have shown interest in adapting the code, which speaks to its success.

This process has been driven by the Council for Sustainable Development with the mostly symbolic support of the federal government. It is important to note that there has not been any legislative activity to undergird the code with a binding legal framework. It was not until the EU required Germany and its other member states to incorporate its new EU CSR reporting guidelines into national law that the Bundestag took up the issue of sustainability reporting for companies. Despite this hesitation from important institutions, the idea gained traction—the critical question is why.

At first glance, given the global financial crisis, 2009 seemed like an unlikely time to initiate a sustainability-related policy tool. During challenging economic times, environmental policy efforts tend to take a backseat to economic ones. In this instance, however, the opposite happened. The Council for Sustainable Development viewed the financial crisis as an impulse to develop the sustainability code because it revealed a need for more sustainable economic activity. Thus, the state of economy played a critical role in the idea of sustainability reporting gaining traction.

Another decisive determinant was the fact that a comprehensive institutional structure to address sustainable development had already been put in place, which I explore in detail in chapter 7, and that there was a general consensus among policy entrepreneurs as well as the majority of interests that it is important to address sustainable development, though opinions differed on how. The creation of a sustainable development institutional structure was important because it was the Council for Sustainable Development, an advisory body that was created in 2001 as one of several institutions to deal with sustainable development, that initiated the process of creating and implementing the code. Additionally, it was relevant that there was no strong opposition to the idea from within the key political institutions as well as from interest representatives. Instead the broad majority of policy entrepreneurs across party lines as well as business, environmental and other interest representatives agreed that sustainable development is a laudable goal. Building a broad network of interests and engaging them in the creation of the German Sustainability Code through a multi-stakeholder process further strengthened the chances for the idea to gain traction. Arguably, this holds true not only for the sustainability reporting of companies, but also the idea of sustainable development more broadly.

Furthermore, beyond the financial crisis and the state of the economy, the contextual factors potentially helped but certainly did not hinder the development of the code. Public opinion favored strong environmental policy action. The nuclear disaster in Japan bolstered already existing calls for renewable energy. Ideology shaped the scope of the debate and determined what strategies the different policy entrepreneurs and interest representatives favored to implement the code and to accomplish sustainable development more generally. Business interest and the Christian Democrats overwhelmingly argued for the voluntary commitment of companies citing deregulation and the cost of the administrative work associated with it. The

opposition parties and non-governmental organizations emphasized the importance of strengthening the code and making it obligatory. Overall, this critical juncture reflects the whole trajectory of sustainable development policymaking in Germany: slow, but continuous progress towards a comprehensive and durable sustainable development policy regime.

CHAPTER 5

Interest Pushback:

The George W. Bush Presidency

The election of George W. Bush as president shifted the political power balance in Washington DC, which was further reinforced by Republicans picking up seats in Congress. It was Democrat Bill Clinton who occupied the White House during the eight years prior to the 2000 election, which is important not just because of the partisan shift that the election of George W. Bush brought about, but because of the potential shift in sustainable development policymaking that was likely to result from the election. Following the 1992 Earth summit and the creation of the Agenda 21 action plan, President Clinton attempted to establish a sustainable development policy regime in the U.S., which I examine in detail in chapter 6. Despite its shortcomings, Clinton's proactive effort to establish a sustainable development policy regime is the point of departure for this chapter. The question at hand is whether we see any continuity in sustainable development policymaking or whether President Bush took a different direction.

It may not be surprising that President Bush did not pursue sustainable development policymaking like his predecessor did. Instead, we see inactivity from the president on that front and the move towards neoliberal economic policies, which emphasize privatization and deregulation in lieu of governmental regulations. President Bush's stance was reinforced by pushback against the idea of sustainable development from various interests, including think tanks and advocacy organizations. In addition, they stressed deregulation and privatization as the best policy ideas to address environmental problems. This alternative set of neoliberal ideas

gained traction during the Bush presidency years and ultimately forced the idea of sustainable development out of U.S. policymaking at the national level. Thus, the nascent sustainable development policy regime that was initiated by the Clinton administration was dismantled. This chapter examines this shift in ideational emphasis and investigates the forces at play.

The election of President Bush represents a critical juncture in the trajectory of sustainable development policymaking exactly because it was a sharp turn away from President Clinton's establishment of a nascent sustainable development policy regime and toward the dominance of a counter regime based on neoliberal ideas like deregulation and privatization. During the Bush presidency years, the opposition to sustainable development built on the ideational foundation laid by the opponents of President Carter's *Global 2000 Report* in the 1980s. It is important to examine this critical juncture for a number of reasons. First, it illustrates how the power of one interlocking set of ideas, interests, and institutions is forcing out another. Throughout its eight-year tenure, the Bush administration did not try to create and support a sustainable development policy regime. This is not surprising given that the idea of sustainable development was subject to opposition from conservative interests. However, the administration did back an alternative policy regime, which was broadly supported by conservative interests, and enabled it to capture the national policy debate. Second, examining this critical juncture helps to illustrate how macro political forces shape and constraint opportunities for regime development. As political scientist Mark Smith notes in his book *Right Talk*, American politics took a "right turn" starting in the 1970s meaning that it "became reoriented around economic interpretations of issues" (2011, p. 17). The ideas that gained traction during the Bush years fit into this broader realignment of American politics, which facilitated their rise. At the same time, this shift undermined sustainable development policy regime building.

To illustrate these points, I first discuss the interplay of opposing interests with each other and with the key ideas, which includes an assessment of both the support for and the opposition to sustainable development. Specifically, I take a close look at the interest group coalition under the banner of Wise Use, which increased its political reach during the Bush years, as well as conservative think tanks, specifically the Heritage Foundation and the American Enterprise Institute, and advocacy organizations, namely the Property and Environmental Research Center and the Center for the Defense of Free Enterprise. Then I examine the institutional context focusing on the president and Congress. With regards to the president, I analyze whether and how President Bush addressed the idea of sustainable development as well as his administration's level of engagement with the U.N. sustainable development process and its industry ties. To address the role of Congress, I discuss the legislative activity relating to sustainable development. Finally, I examine the impact of contextual factors, namely external shocks, the state of the economy, public opinion, and ideology, before drawing conclusions.

The Interplay of Interests and Key Ideas

Ideas depend on interests to respond to or more precisely to advocate for them. Without interest support, ideas cannot gain traction. Ultimately, the critical question here is whether there is more support for an idea or more opposition. Additionally, it is necessary to consider the actors in each camp and their characteristics. Even a lot of whole hearted support, for example, may be insufficient if the actors providing that support lack political power.

Because interests are so critical for the success of an idea in policymaking, I examine both the interest support for and the interest opposition to the idea of sustainable development through an examination of written statements and articles published by various interests,

including interest groups, think tanks, and advocacy organizations. In doing so, a counter paradigm emerges that has essentially drowned out sustainable development during the Bush presidency years. The following section first lays out the interest support for sustainable development, which is contained to a small number of actors. Then, I examine the interest opposition, which is broad and well connected. Specifically, I look at an interest group alliance under the banner of the idea of wise use as well as conservative think tanks and advocacy organizations.

The Supporters of Sustainable Development

During the Bush presidency, there was relatively little support for the idea of sustainable development from domestic interest groups, think tanks, and advocacy organizations. Thus, the domestic pressure to establish a sustainable development policy regime was slim. The most outspoken support for the idea within the U.S., which I discuss below, came from economist and environmental activist Lester Brown and his non-profit environmental organization the Earth Policy Institute. Prominent think tanks, like the Center for American Progress, and national environmental organizations, such as the Sierra Club, either addressed sustainable development only in an international development context or focused on criticizing President Bush's environmental policy instead of pressuring the administration and Congress to adopt sustainable development policies, particularly domestic ones. The supporters that did exist were undermined by their own lack of political power as well as the absence of national political actors that were responsive to their arguments. Nevertheless, it is important to consider the arguments that were made in support of sustainable development policy to better understand why the alternative narrative advocate by conservative interests gained more traction.

Table 5.1: Sustainable Development & Its Critics During the George W. Bush Presidency

Support	Year	Opposition & Bush Administration
Earth Policy Institute created to put world on environmentally sustainable path (directed by Lester Brown) & Brown's <i>Eco-Economy: Building an Economy for the Earth</i> was published S.Con.Res. 50 "A concurrent resolution recognizing the important contributions that local governments make to sustainable development and ensuring a viable future for our planet" dies in committee S.Res. 311 "A resolution expressing the Sense of the Senate regarding the policy of the United States at the World Summit on Sustainable Development and related matters" die in committee	2000	President Bush appointed various representatives of the Wise Use movement to administration positions Energy industry contributions to Bush presidential campaign
	2001	Bush announced opposition to and withdrawal of U.S. from Kyoto Protocol
	2002	President Bush did not attend U.N. Sustainable Development Conference in South Africa <i>Heritage Foundation</i> Backgrounder on "Smart Growth" by Wendell Cox & feature on "What is Sustainable Development?" by Julian Morris published AIE's Steven Hayward publishes "Sustainable Development in the Balance"
	2003	White House publishes fact sheet on "U.S. Actions at the G-8 Summit" <i>PERC</i> published "The Property Rights Path to Sustainable Development" by Laura Huggins & Terry Anderson
Lester Brown's <i>Plan B: Rescuing a Planet Under Stress and a Civilization in Trouble</i> was published	2004	Bush administration announced "Reduce, Reuse, & Recycle (3R) Initiative" Energy sector again contributed heavily to Bush reelection
H.Res. 782 "Affirming the commitments made by the US at the World Summit on Sustainable Development in Johannesburg, South Africa, to improve worldwide access to safe drinking water and basic sanitation services" & H.Res. 849 "Congratulating Wangari Maathai for winning the Nobel Peace Prize and commending her for her tireless work to promote sustainable development, democracy, peace and women's rights in Africa" die in committee	2005	White House publishes "Fact Sheet: Action on Climate Change, Energy and Sustainable Development" "Northern Nevada Sustainable Development in Mining Act" introduced by Rep. Jim Gibbons (R-NV) dies in subcommittee
Lester Brown's <i>Plan B 2.0: Rescuing a Planet Under Stress and a Civilization in Trouble</i> was published	2006	Heritage Foundation held "Redefining Sovereignty" lecture series
Lester Brown's <i>Plan B 3.0: Mobilizing to Save Civilization</i> was published	2007 2008	

Lester Brown's advocacy for sustainable development was tireless and persistent, but its impact on policymaking was limited. Decades before George W. Bush was elected president, Lester Brown had already written multiple books addressing sustainable development. In 1981, for example, *Building a Sustainable Society* came out, and another ten years later, in 1992, he published *Saving the Planet* with Chris Flavin and Sandra Postel. In *Building a Sustainable Society*, Lester argues, "as human numbers have grown [...], the needs for the products of biological systems have come to exceed their carrying capacities, and mankind is beginning to consume the resource base itself, thus engaging in the biological equivalent of deficit financing" (Revelle, 1982, p. 829)—bringing attention to the population growth dilemma that was prominently featured in the environmental movement during the 1980s. Assertions like these, particularly one focusing on depopulation, have been and continue to be heavily criticized by conservatives, who point out that these "doom and gloom" arguments disregard the human capacity for innovation and technological advancement. The publication of his second book coincided with the Earth Summit and Brown himself considers it "the book [...] for the conference" (Brown, 2013, p. 134).

In addition to the publication of numerous books, Brown established the Earth Policy Institute to provide an institutional foundation for his sustainable development advocacy. In early 2001, Brown, who had previously founded the research organization Worldwatch Institute, and his colleagues began to plan for the creation of the Earth Policy Institute with the purpose of providing "a plan for moving the world off the decline-and-collapse path and onto a path that was environmentally sustainable" (Brown, 2013, p. 160). As the institute moved into its new offices, Brown completed the institute's first book *Eco-Economy: Building an Economy for the Earth*, which was also published in 2001 and translated into 18 languages. With various

publications, including books and its Earth Policy Alert, as well as in press conferences, Brown and his colleagues criticized business as usual, which they termed “Plan A,” and the Bush administration policies. In one of its first press conferences, for example, the Earth Policy Institute condemned the Bush/Cheney energy plan, which it argued, “was drafted in secret in consultation with the fossil-fuel industry” (Brown, 2013, p. 161). Furthermore, the Earth Policy Institute provided an alternative to the business as usual it criticized, which it termed “Plan B.” Brown notes, “Plan B has four components: stabilize population, eradicate poverty, cut carbon emissions 80 percent by 2020, and restore the economy’s natural support systems, including forests, grasslands, croplands, and fisheries” (2013, p. 164), which he discussed in detail in a string of books that all came out during the 2000s.¹ Brown and the Earth Policy Institute have been somewhat successful in triggering interest in the Plan B argument, though mostly outside of the United States domestic policy context, as a few corporations, such as Toyota, JP Morgan, and HSBC, as well as some countries, like the Netherlands and Switzerland, showed interested (Brown, 2013, p. 173). In his autobiography, Brown notes retrospectively, “[i]n trying to convince people that we need to restructure the world economy, and thus move the world back onto a sustainable path, I have given 1,863 talks in forty-seven countries over the last half century” (2013, p. 187). In his mind, “helping to develop the concept of sustainable development” is his “principle legacy” (Brown, 2013, p. 203). Overall, however, Brown’s impact on U.S. domestic sustainable development policymaking appears rather small.

In contrast to the Earth Policy Institute, the majority of environmental organizations and liberal think tanks either focused exclusively on criticizing the Bush administration and its policy

¹ Plan B: Rescuing a Planet Under Stress and a Civilization in Trouble (2003), Plan B 2.0: Rescuing a Planet Under Stress and a Civilization in Trouble (2006), Plan B 3.0: Mobilizing to Save Civilization (2008), Plan B 4.0: Mobilizing to Save Civilization (2009).

plans instead of advocating for sustainable development, or they concentrated exclusively on sustainable development in an international development and foreign aid context. Illustrating the latter, the Center for American Progress, for example, argued for international sustainable development as a strategy to strengthen the work of the U.S. military in its report “Humanity as a Weapon of War: Sustainable Security and the Role of the U.S. Military” (Brigety, 2008).

Regarding the former, it should be noted that the criticism of the Bush administration particularly among environmental groups and advocacy organizations was widespread. One of the key criticisms launched at President George W. Bush’s environmental policy generally was the substantial impact that industry, in particular the energy industry, had on it. The Sierra Club was outspoken in its criticism of the president. For example, it created a section on its website called “W Watch” to track the president’s environmental policy record. Furthermore, writer Ken Silverstein penned a detailed and critical article entitled “The Polluters’ President” for the Sierra Magazine discussing Bush’s environmental record as Governor of Texas and anticipating his environmental policy as president (2000). Among other things, Silverstein argues that Bush “governed the most polluted state in the country” for the four years before becoming president and that when it came to his environmental policy, industry was calling the shots (2000). After Bush left office, the Sierra Club spokesman Josh Dorner noted that Bush “has undone decades if not a century of progress on the environment” (Goldenberg, 2009). Thus, the Sierra Club was highly critical of President Bush’s environmental policy from before he took office until after he left it. Furthermore, David Appleyard, editor of *Power Economics*, noted that under Bush “America’s industrial economy comes first and the environment a distant second,” adding that the U.S. government has “no real interest in pursuing policies that entrench the ideals of sustainable practice either at home or into the wider developing world” and that “with his

resounding rejection of sustainability Bush increases national vulnerability to a volatile oil price and yet simultaneously pursues policies that increase uncertainty” (2002). Overall, it is likely that in the assessment of these organizations and individuals, offering criticism is all that they felt they could do during this time given the power balance in Washington. With Republicans controlling the White House as well as Congress for a majority of that time period, it was unlikely that either would be responsive to policy pressure from environmental groups and liberal think tanks.

In summary, there was very little explicit interest support for sustainable development from environmental organizations and liberal think tanks during the Bush presidency. Lester Brown and his Earth Policy Institute advocated tirelessly and persistently for sustainable development policy. But both the individual and the organization lacked political power to have an impact on the policy debate. Other potentially supportive and more powerful environmental organizations and liberal think tanks either focused exclusively on sustainable development in the context of foreign aid or concentrated on criticizing President Bush’s environmental policy or lack thereof. Overall, this led to a rather fractured and weak support base for sustainable development.

Opposition to Sustainable Development & The Establishment of a Counter Paradigm

There are a variety of organizations and groups that strongly oppose sustainable development as a concept and as a goal for U.S. policymaking. Others embrace the term but put their own spin on the concept that substantially differs from how the U.N. defines it. While most of the groups and organizations that oppose sustainable development emerged in the late 1980s or during the 1990s as a direct response to the publication of the U.N. *Brundtland Report* as well

as the establishment of the U.N. Agenda 21 action plan, their impact on policymaking increased during the 2000s as their representatives successfully lobbied the Bush administration and in some cases even became members of the administration in key positions. With the backing of the Bush administration, the opponents of sustainable development, who could be found in a variety of interest groups, think tanks, and advocacy organizations, worked together in a multitude of ways to provide an ideational alternative to sustainable development specifically and environmentalism more broadly.

This section lays out the key players in the opposition to sustainable development and their pursuit of and success in establishing a counter paradigm to it. First, I discuss the so-called Wise Use movement, a coalition of right-wing interest groups which had substantial influence on the Bush administration. Then I address the role of think tanks, in particular the Heritage Foundation and the American Enterprise Institute. Notably, the former had already been instrumental in the defeat of the *Global 2000 Report* during the 1980s. Finally, I turn to advocacy organizations, including the Property & Environment Research Center and the Center for the Defense of Free Enterprise, before I summarize what we can learn from the debate within and between these groups and organizations.

A Coalition of Interests Under the Banner of Wise Use

The Wise Use coalition had a significant impact on the Bush administration and the environmental policy debate during the 2000s. Barnhill defines it as a “loose coalition of right-wing interest groups tied by their opposition to environmentalists and their advocacy of unrestricted exploitation of natural resources” (2013, p. 47). Its history goes back to the late 1980s when writer and activist Ron Arnold founded the interest coalition, as critics note, to

support the mining and timber industry in the North West United States. It grew out of regional organizations in the Pacific Northwest, such as *People for the USA (PFUSA)* and the *Oregon Lands Coalition (OLC)*, which were made up of a combination of timber interests, pro-pesticide groups, and land-use planning activists (Burke, 1993). In 1988, Arnold, then Executive Director of the Center for the Defense of Free Enterprise, helped to organize a conference, which brought together the coalition and established its agenda. In 1991, the national organization *Alliance for America* was created with the self-proclaimed purpose of “put[ting] people back in the environmental equation” (Alliance for America, 1996). According to Greenpeace’s PolluterWatch project, the *Alliance for America* “is one of the largest anti-environmental groups to come out of the wise-use movement” (n.d.).

Arguably, the Wise Use coalition is close to various industries both ideationally and financially. As its origins already indicate, the leadership of Wise Use received funding—and its opponents argue also direction—from corporations, specifically in the chemical, mining, and timber industries, and is therefore considered an astroturf organization by its critics (Barnhill, 2013, p. 47). For example, Schneller notes, “many of the individual groups within the Wise Use movement were at one time funded in part by the oil, off-road (recreation), timber, mining, and ranching industries, as well as anti-environmental politicians” (Schneller, 2007, pp. 1971-1973). Wise Use founder Arnold himself defends the movement against such criticism arguing that the portrayal of “the rising social force as a mere front for industry, created by industry, paid for by industry, controlled by industry,” is a consequence of “the environmental movement [...] [losing] its favored ‘non-profit versus for-profit’ moral high ground in the debate” (Arnold, 1996). Either way, it is clear that the movement has strong ties to industry.

The name “Wise Use” was chosen for its ambiguity and brevity, as it is short enough to fit into newspaper headlines. Interestingly, the ideational foundation for Wise Use can be related back to a conflict between two of the founders of modern environmentalism: Gifford Pinchot and John Muir. The former believed in the wise use of trees and minerals by humans, the latter wanted to protect the wilderness for its own sake. Adherents to Wise Use clearly draw upon Pinchot’s more people-centered approach though critics may argue that the movement seems to dismiss the environmentalism aspect that Pinchot stressed altogether, focusing exclusively on the wise use based on economic calculations not environmental ones. Similarly, advocates of Wise Use emphasize the use of the environment and its resources by humans.

Ideationally, the proponents of Wise Use lay out a narrative that counters sustainable development in that it focuses exclusively on privatization instead of governmental regulation and emphasizes economic interests in lieu of environmental protection. According to its critics, the Wise Use agenda, first published in 1988, stresses “removing present environmental protections and preventing future environmental reforms in order to benefit the economic interests of the organization’s members or funders” as central goals (Burke, 1993). The two key Wise Use tenets of the Wise Use movement are that 1) “all constraints on the use of private property should be removed, including limits set for health, safety, and environmental protection” and 2) “access to public lands should be unrestricted” (Wild Wilderness²). As such, it undermines the concept of sustainability since it essentially ignores environmental concerns, which are at the heart of the U.N.’s *Brundtland Report*. Among the twenty-five Wise Use goals are the development of oil and timber resources in National Forests and National Wildlife

² Wild Wilderness is an Oregon-based organization that “believes that America’s public recreation lands are a national treasure that must be financially supported by the American people and held in public ownership as a legacy for future generations.”

Refuges as well as to weaken the Endangered Species Act.³ As noted by critic William K. Burke, the “agenda itself is basically a wish list for the resource extraction industries” (1993). One of the main strategic claims employed by Wise Use activists is to argue “that regulations protecting environmentally sensitive areas on private property are unconstitutional ‘takings,’” i.e. illegal governmental seizure of private property—an assertion that they base on the Fifth Amendment of the U.S. Constitution (Burke, 1993). Those critical of the Wise Use movement view this essentially as a fear-based tactic that seeks to advocate free market economics and to defeat government regulations. Overall, pointing to the Constitution is a common tactic employed by various groups to lend more credence to their argument and to maybe even reach favorable court rulings.

Interestingly, despite the ideational focus on privatization and unrestricted land use, the PR strategy that the leaders of Wise Use pursued heavily relies upon environmental rhetoric instead of opposing it outright. Many of the groups associated with Wise Use, for example, have names that make them sound like they are environmental groups, such as the Environmental Conservation Organization, the National Wetlands Coalition, and the Evergreen Foundation. Critics argue that adherents to Wise Use utilize the rhetoric of their opponents to cloak their corporate-driven economic agenda (Burke, 1993). According to Tarso Ramos from the Portland-based Western States Center, for example, Wise Use groups are “manipulating language and [...] people’s understanding of concepts like environmentalism” (as cited in Burke, 1993). This strategy is often successful because it sows confusion among the public.

Though it is a rather loose alliance of a broad variety of organizations, the Wise Use coalition has been a strong oppositional interest player and has had a substantial impact on the

³ Numbers 2 and 9 as well as number 18.

environmental and sustainable development debate in the United States, particularly during the 2000s. As noted by Burke, the Wise Use rhetoric has been adopted by a variety of individuals and groups on the right, including conservative radio host Rush Limbaugh, political activist Lyndon LaRouche, and the National Farm Bureau (1993). In addition, various proponents of Wise Use have been appointed to key executive branch positions under President George W. Bush, as I discuss below. Consequently, Wise Use ideas had a significant policy impact during the Bush years.

During the Bush presidency, the coalition of interests that joined together under the banner of Wise Use was part of a broader alliance that worked to provide an alternative to the idea of sustainable development in addition to environmentalism overall. As laid out, the Wise Use agenda relies upon the ideas of privatization, or more specifically the supremacy of private property above all else, and deregulation, i.e. the unrestricted use of land—both public and private. Considering the ties that these interests had to various industries and the Bush administration during the 2000s already provides a window into the extent of the alliance that sought to establish a counter paradigm to sustainable development. Thus, it is reasonable to argue that the Wise Use coalition reached its peak in terms of its influence on the national policy debate under President Bush, as Wise Use ideas became part of the official governmental policy through Bush’s executive branch appointments of adherents to Wise Use.

Think Tanks: The Heritage Foundation & the American Enterprise Institute

Major conservative think tanks have made similar arguments in opposition to sustainable development as the various interest groups that came together under the banner of Wise Use. Below I analyze key documents addressing sustainable development that were published by two

major conservative think tanks, namely the Heritage Foundation and the American Enterprise Institute, during the Bush presidency. The analysis highlights the parallels between the arguments made by proponents of Wise Use and these conservative think tanks. Along with the adherents to Wise Use, conservative think tanks played a critical role in establishing a counter paradigm to sustainable development focused on privatization and deregulation.

First off, the conservative Heritage Foundation has played a critical role in the creation of an ideational alternative to sustainable development and environmentalism—a role that goes far beyond the period under investigation in this chapter. During the 1980s, the Heritage Foundation already played a key role in the opposition to President Carter’s *Global 2000 Report* and long past the report’s relevance to the national policy discussion, the Heritage Foundation continued to make similar arguments championing the free market, privatization, and deregulation. As a consequence, the Heritage Foundation remained a key player in the interest opposition to the idea of sustainable development as it sought and continues seeking to establish its own ideas as the dominant frame for policymaking for a broad variety of policy areas. The following examples illustrate the arguments that Heritage Foundation representatives have made in connection to sustainable development during the 2000s, thereby they provide an overview of the ideational alternative to sustainable development that the Heritage Foundation seeks to establish.⁴

In its rebuttal to the idea of “smart growth,” a concept that is often closely associated with sustainable development even though neither the *Brundtland Report* nor the Agenda 21 action plan mention “smart growth,”⁵ the Heritage Foundation relies on arguments that are very

⁴ I searched for the relevant entries on the Heritage Foundation website (www.heritage.org) using the keyword “sustainable development” and narrowing down the search to the time range from the year 2000 to 2008.

⁵ I will explore this link in further detail in chapter 8 when I will discuss the Anti-Agenda 21 movement.

similar to those articulated by the proponents of Wise Use. During President Bush's first term in office, on July 2, 2002, the Heritage Foundation published a Backgrounder on Smart Growth (#1565) authored by Wendell Cox, a consultant and Visiting Fellow at the Heritage Foundation at the time. Opponents of sustainable development and Agenda 21 often associate the concept with the U.N. and the concept of sustainable development. In the piece, suggestively entitled "Forfeiting the American Dream: The HUD-Funded Smart Growth Guidebook's Attack on Homeownership," Cox heavily criticizes the 2002 edition of the American Planning Association (APA) Growing Smart Legislative Guidebook, which was largely funded by the Department of Housing and Urban Development (HUD), as an "affront to basic property rights" and an "assault on homeownership" (2002). Furthermore, Wendell argues that the guidebook "recommends model 'takings' legislation" to redevelop suburban sprawl into denser urban residential communities. Underlying these recommendations, according to Wendell, is pressure from "special interests who fancy themselves [...] as evangelists on a mission to convert everyone to a particular taste (or ideology) of urban design" (2002). Essentially, the argument Wendell makes here is that these developments are challenging the traditional way of life, i.e. the American Dream, and he condemns the Bush administration for not publically distancing itself from the guidebook. As this summary indicates, opponents of smart growth like Wendell associate it with governmental regulations that undermine private property—an argument that sounds very similar to that of the proponents of Wise Use, including Wendell's reference to governmental 'takings.'

In another instance, the Heritage Foundation seems to coopt the idea of sustainable development without defining it by arguing that privatization and deregulation are the key strategy for achieving sustainable development. Shortly after the publication of the "Smart Growth" Backgrounder, a feature with the title "What is Sustainable Development?" appeared in

the Heritage Foundation publication *The Insider* in August 2002. Julian Morris, the director of the International Policy Network, a corporate-funded⁶ think tank that the British newspaper *The Independent* categorized as climate-skeptic, authored the feature. In it, Morris notes, “the banner ‘sustainable development’ is typically used to justify policies that would, in fact be unsustainable—they would undermine the institutions that lead to true sustainable development” (2002a, p. 2). Instead of governmental intervention and regulation, he argued, “true sustainable development involves decentralization of ownership and control—empowering individuals and communities, so that they are able to take charge of their own lives” (Morris, 2002a, p. 2). Thus, it is clear that Morris views government as the problem, not the solution. He underscores that point by noting that governments in the undeveloped world are generally corrupt, violent, and incompetent. He continues that they are the ones adopting unsustainable policies, while the wealthy countries mostly adopt sustainable policies, i.e. policies that encourage the “creation and maintenance of market institutions” (Morris, 2002a, p. 3). It remains unclear what constitutes sustainable development for Morris but not surprisingly, the environment does not seem to play a prominent or even minor role in his assessment of sustainable development. He presumes that market institutions, along with individuals and local communities take care of the environment without specifying how. The key to sustainable policies, according to Morris, is the protection of property rights, including intellectual property rights, freedom of contract, the rule of law, free trade, and decentralized decision-making.

In addition to arguing that privatization and deregulation are the key to sustainable development, Morris and others also attack those who predict a future shaped by environmental challenges if we do not act, which most proponents of sustainable development do. Morris’

⁶ In particular ExxonMobil (cf. Center for Media & Democracy, n.d.-b)

feature for the Heritage Foundation is based on his book entitled *Sustainable Development: Promoting Progress or Perpetuating Poverty?*, which was also published in 2002. Both Morris' book and similar publications, such as Bjorn Lomborg's *The Skeptical Environmentalist* (2001), maintain that the doomsday view of the world, which they argue was previously exemplified by President Carter's *Global 2000 Report*, is not just unfounded and wrong, but also panic-stricken (Morris, 2002b; Lomborg, 2001). As Morris and Lomborg's arguments indicate, we see a continuation of a line of criticism that was already used to defeat President Carter's *Global 2000 Report* in the 1980s. Thus, these examples underscore that opponents of sustainable development have relied on the doomsday critique for more than 20 years and continue to do so.

Finally, a 2006 Heritage Foundation lecture series approaches sustainable development from the angle of sovereignty—warning of a U.N. power grab and the loss of national autonomy. The lecture series titled “Redefining Sovereignty” was delivered on July 20, 2006. The concept of sovereignty ties into the sustainable development debate due to the fact that the modern origin of the idea is generally considered to be the United Nations, a fact that has invited much criticism as well as warnings of a loss of national sovereignty from conservative interests. Orrin C. Judd, a neoconservative blogger and editor of *Redefining Sovereignty* (2006) who was also one of the lecturers, for example noted, “national sovereignty, free enterprise, individual rights, sound science, and economic prosperity are under increasing assault” (Judd et. al, 2006, p. 1). Another lecturer, the Heritage Foundation's Vice President for External Relations Becky Norton Dunlop, cited Senator and conservative leader Jesse Helm's (R-NC) speech to the U.N. in January 2000 extensively; in the speech, Helm notes that the people of the U.S. “see the U.N. aspiring to establish itself as the central authority of a new international order of global laws and global governance” (Judd et al., 2006). The accusation of a power grab by the U.N. plays a significant

role in a substantial amount of the sustainable development criticism particularly from conservatives.

Beyond the sovereignty argument, one of the lectures also attacks the environmental movement by drawing a wedge between the environment and humans. In his lecture Paul Driessen from the *Center for the Defense of Free Enterprise*, who previously authored the book *Eco-Imperialism: Green Power, Black Death* (2003) essentially juxtaposes and contrasts two causes—helping the environment versus helping humans—arguing that the modern environmental movement seeks to achieve the former even at the expense of humans. While Driessen gives a positive review of the early environmental movement, he argues that with time it “became wealthy, politically powerful, and increasingly radical” with a particular distaste for fossil fuels, biotechnology, and chemicals, such as DDT (Judd et al., 2006, p. 3). He accuses the environmental movement of forcing its views and policies on everybody else and he continually refers to environmental activists as “well-off environmental elites” who put the environment above people. These actions, he argues, are why he uses the term “eco-imperialism” to describe the contemporary environmental movement. Not only does Driessen seek to drive a wedge between environmentalists and the world’s poorest citizens, but he also dismisses the worries of environmentalists as “minor, distant, and speculative risks” (Judd et al., 2006, p. 4). Driessen’s view of the environmental movement leads him to also reject sustainable development:

Sustainable development means restricting resource use and economic development to safeguard the hypothetical needs of future generations, usually at the expense of current generations, and without considering that future technologies will need different energy, minerals, and materials; find and produce them more efficiently; and be as different from what we use today as today’s technologies differ from those we used in 1906. (Judd et al., 2006, p. 4)

As this quote illustrates, Driessen makes an argument that is very similar to that made by Julian Simon in the 1980s—Simon stressed the importance of human innovation and technological improvements to undermine President Carter’s *Global 2000 Report*. What is more, Driessen also dismisses the concept of corporate social responsibility (CSR) as “the new umbrella term for the eco-imperialist agenda” (Judd et al., 2006, p. 4). Pitting the world’s poor against environmental concerns is clearly a key strategy here as Driessen accuses the “eco-imperialists” of keeping “out [the] least fortunate citizens from taking their rightful places among the Earth’s healthy and prosperous people” (Judd et al., 2006, p. 5). Thus, instead of following the agenda of environmentalists, Driessen advocates putting “sound science and economics back into our policy decisions” and “putting people first” (Judd et al., 2006, p. 5).

This analysis exemplifies the Heritage Foundation’s understanding of and position on sustainable development during the Bush years though most of its stances transcend this time frame. Taken together, the various arguments postulated by the Heritage Foundation are clearly in support of and push for the adoption of a neoliberal paradigm in lieu of sustainable development. Overall, they focus on privatization and deregulation as key policy tenets. In one instance, a Heritage Foundation thinker attempts to coopt the traditional understanding of the idea of sustainable development arguing that privatization and deregulation, not governmental regulation, are the best approaches to accomplishing sustainable development without explaining how the latter should be defined. The Heritage Foundation also attacks the environmental movement, the United Nations, and supporters of sustainable development in a variety of ways. For one, its thinkers dismiss attempts of predicting future environmental problems as doom and argue that environmentalists are trying to save the environment at the expense of humans. It also becomes apparent that Heritage Foundation thinkers despise the U.N. as they warn of a U.N.

power grab and a loss of national sovereignty as well as rebut the concept of smart growth, which they associate with the international, intergovernmental organization. Throughout the arguments made in Heritage Foundation publications, there are ideational parallels to the Wise Use agenda. Most clearly, these parallels are reflected in the emphasis on the defense of private property and the warnings of governmental takings of the former.

Another conservative think tank, the American Enterprise Institute (AEI), makes similar arguments regarding the path to sustainable development. Generally, and based on its own account, the “community of scholars” that is under the umbrella of the AEI seeks to “expand liberty, increase individual opportunity and strengthen free enterprise” (AEI, 2016). Thus, it is not surprising that the AEI puts its main emphasis on economic growth as the pathway to create sustainable development. Specifically, AEI scholar Steven F. Hayward argues that economic growth and environmental improvement are linked. He notes, “the resource scarcities of the 1970s were the transient result of faulty government policies [... and the] falling pollution levels in industrialized nations have since demonstrated that environmental improvement is compatible with economic growth” (Hayward, 2002, p. 2). Based on his evaluation, the U.N. agrees with this assessment, as he points out that there “are signs that the sustainable development project may be turning away from its Malthusian roots toward a broader and more productive view of the relationship between economic development and environmental quality” (Hayward, 2002, p. 2). Despite this level of agreement, Hayward shares his criticism of the U.N. as well as the environmental movement. Specifically, he criticizes “the undemocratic influence of nongovernmental organizations, the radical fringe’s agenda of global environmental governance, and the socialist-redistributionist impulse,” as well as the *Global 2000 Report*, the limits to growth argument, and the notion of smart growth (Hayward, 2002, p. 2). Interestingly, however,

his understanding of the U.N. Agenda 21 differs from many other conservative groups and thinkers. He notes that Agenda 21 “is no antiglobalist manifesto” as “it acknowledges the necessity of economic growth to environmental quality, calls for eliminating trade protectionism and expanding world markets, and warns against using environmental pretexts for imposing trade barriers” (Hayward, 2002, p. 2). Nevertheless, Hayward’s perspective has overall more in common with that of the Heritage Foundation than that of the U.N. or the environmental movement.

In summary, conservative think tanks like the Heritage Foundation and the American Enterprise Institute have successfully shared their neoliberal policy prescriptions as a response to sustainable development during the George W. Bush presidency. Specifically, they recommend privatization and deregulation in lieu of governmental regulation as the key strategies to achieve sustainable development without going into detail about how they define the latter. In addition, there are ideational parallels between the arguments made by these think tanks and the proponents of Wise Use. Overall, conservative think tanks played a critical role in establishing a counter paradigm to sustainable development focused on privatization and deregulation.

Advocacy Organizations: The Property & Environmental Research Center and the Center for the Defense of Free Enterprise

Finally, in addition to the interest groups that joined together in a loose coalition under the banner of Wise Use and the conservative think tanks—both of which stressed privatization and private property as well as deregulation—, advocacy organizations joined the debate with a similar perspective. Two of these advocacy organizations are the Property & Environmental Research Center (PERC) and the Center for the Defense of Free Enterprise. Interestingly,

however, some of these organizations are not even explicitly opposing sustainable development as a policy idea. Yet, a closer look at their argumentation reveals strong opposition to most of the solutions and policy prescriptions that are generally associated with accomplishing sustainable development.

In its publications addressing sustainable development, the Property & Environment Research Center (PERC) emphasizes the importance of the free market, property rights, and economic growth. PERC was founded in the early 1980s in Bozeman, Montana. Its mission is to propel the idea of free market environmentalism as it is “dedicated to improving environmental quality through property rights and markets” (PERC, 2016). According to the Center for Media and Democracy (CMD), funding for PERC comes mostly from foundations that are pushing for deregulation and privatization, including the Koch Foundation, as well as from corporations, like Exxon Mobil.⁷ In a 2003 piece entitled “The Property Rights Path to Sustainable Development,” PERC’s Laura Huggins and Terry Anderson argue that “economic systems based on property rights and the rule of law are the best hope for humanity today to leave an endowment for humanity in the future.” Thus, the only way to accomplish sustainable development in their minds is to provide a free market where privatization and deregulation reign—an argument that is very similar to those made by think tanks and proponents of Wise Use. Huggins and Anderson summarize their argument as follows:

[S]ustainable development, if it can be defined, is only possible in a legal system where property rights are well-defined, enforced, and transferable. Property rights provide the structure that encourages development, innovation, conservation, and discovery of new resources. Growth and increasing wealth through these mechanisms lead to environmental quality by raising the demand for it and by providing the wherewithal to meet these demands. In this context, economic growth is not the antithesis of sustainable development; it is the essence of it. (Huggins & Anderson, 2003)

⁷ Cf. Center for Media & Democracy (n.d.-a).

In fascinating historical continuity, Huggins and Anderson also criticize those who suggest alternative policy prescriptions that focus on government regulation and community-centered efforts as “alarmists,” representatives of “gloom and doom theory,” and “doomsayers.” As Julian Simon and Herman Kahn before them⁸, they condemn Thomas Malthus, the Club of Rome’s “limits to growth” theory, and Paul Ehrlich. For the comparison with Germany, it is particularly interesting to point out that Huggins and Anderson even mention the German politician and then Executive Director of the United Nations Environmental Program (UNEP) Klaus Töpfer in the same breath as Malthus. Specifically, they refer to him as an example representing politicians, who have the mind-set to “call for more government regulation to stop growth and curb consumption” (Huggins & Anderson, 2003). From a German perspective, Töpfer, an economist and a member of the Christian Democratic Union (CDU), was part of the conservative Helmut Kohl cabinet and hardly a liberal environmentalist. With its anti-governmental regulations and pro-free market stance, PERC’s arguments for how to achieve sustainable development parallel those by Wise Use proponents and conservative think tanks.

The Center for the Defense of Free Enterprise is another advocacy group that defends the free market and property rights as well as advocates for limited government. Its arguments mirror those of the proponents of Wise Use, which is not surprising since the 501(c)(3) organization has intimate ties to the leadership of Wise Use. The executive vice president of the center is Wise Use founder Ron Arnold. In addition, the Center for the Defense of Free Enterprise has ties to the Bush White House at the highest level. In a 1992 document welcoming new members, then Secretary of Defense Dick Cheney is listed as a distinguished advisor and part of the center’s national advisory board (Arnold, 1992). The center’s founder Alan Gotlieb

⁸ See for chapter 3.

also had the opportunity to present the Wise Use agenda to President George W. Bush's father President George H.W. Bush (Gotlieb, 1989).

These two advocacy organizations are in no way exceptions. Instead they are representative of a large group of conservative advocacy organizations that make the case for the free market, privatization and deregulation and heavily criticize the environmental movement. During the Bush presidency, their influence on policymaking increased. Overall, these organizations contributed to the establishment of a counter paradigm to sustainable development.

The Interplay of Opposing Interests

The way that interests were aligned during the Bush presidency played a critical role in preventing sustainable development from gaining traction. On the one side, we see few supporters who lack political power, and on the other side, numerous opponents with political clouts. What is more, the opposition successfully reframed the policy debate in terms of neoliberal ideas. The most outspoken supporters of sustainable development, namely economist and environmental activist Lester Brown and the Earth Policy Institute, had no influence on policymaking. More well-established progressive think tanks and advocacy organizations mostly focused on criticizing the president's environmental policy instead of advocating for sustainable development, which is not surprising given the power balance in both the executive and the legislative branch.

The interest opposition to sustainable development faced a more favorable political climate to make its case and to advocate for a counter paradigm based on neoliberal ideas. The proponents of Wise Use as well as the conservative think tanks and advocacy organizations discussed above either oppose sustainable development all together or coopt the concept to cloak

their neoliberal argument in environmentalism. The counter paradigm that they all advocate for focuses on private property, deregulation, and privatization, i.e. the staples of neoliberalism. Those who refer to sustainable development as a goal do so by arguing that privatization and deregulation are the key policy ideas that need to be implemented to accomplishing this goal. The groups that do reference sustainable development as a goal share the characteristic that they generally do not define the concept in a very clear and straightforward way—in most cases it remains unclear which outcomes are considered to be sustainable. But they emphasize that economic freedom and not governmental regulation are the only way to get there. By stressing the ideas of private property rights, deregulation, and privatization, these oppositional interests essentially advocate for a policy regime based on neoliberalism where environmental concerns play a relatively minor role. The creation of a free market that goes hand in hand with the abolition of governmental regulation, so the argument goes, will have trickle down effects including environmental improvement.

While most of these groups and organizations were established prior to President Bush taking office, their influence increased with his election. The newly elected president, who himself has an industry background, was open and sympathetic to their arguments. In addition, there were several ties between the proponents of Wise Use, conservative think tanks and advocacy groups as well as industry representatives and the Bush administration. The analysis of these oppositional groups indicates a relatively tight-knit intellectual community as suggested by not only the similarity of their arguments, but also the fact that they tend to cross-reference each other. There are, for example, cross-references between PERC and AEI publications. Ultimately, these conservative actors built an interest network to establish an alternative policy regime based on neoliberal ideas like deregulation and privatization. Finally, it should be noted that criticism

of President Carter's *Global 2000 Report* and even more so the Malthusian argument remains prevalent among these groups.

The Institutional Context: The President and Congress

Institutions are an important component of every policy regime. Ideas can only gain traction, when policy entrepreneurs promote them within the existing governing institutions, or when new institutions are created with the expressed purpose of advancing a specific idea. To start off, it is important to note that the President's Council on Sustainable Development that President Clinton had created at the beginning of his tenure expired in 1999. After assuming the office of president, George W. Bush did not establish any comparable institutional structure. Since no new institutional structures were created to address sustainable development, the focus here is on how existing institutions dealt with the idea. Specifically, I examine whether and how the president and Congress responded to the idea as both are potential institutional hurdles for the establishment of a policy regime. In addition, I explore the interplay of interests and institutions, which reveals close ties between the interests opposing sustainable development and the Bush administration. It becomes clear that both the opposing interests and the newly elected Republican president both embrace an alternative paradigm that stressed deregulation and privatization in lieu of governmental regulation with the goal of achieving sustainable development.

The George W. Bush Presidency: Embracing an Alternative Set of Ideas

Overall, the Bush administration was closer to the critics of sustainable development than its proponents. Consequently, it is not surprising that George W. Bush and his administration did

not have or advocate for a coherent sustainable development policy. The idea appeared only sporadically within the White House and when it did, most of the time it was mentioned in connection with international efforts, such as the G8 summit. Hence, the initiative to put sustainable development on the policy agenda did not come from within the Bush administration. Not surprisingly, the Bush administration did not have an institution comparable to the President's Council for Sustainable Development, which Clinton had created at the beginning of his presidency. Thus, the institutional arrangements to move sustainable development forward were weakened. Furthermore, the close industry ties, which generally marked George W. Bush's presidency, undermined any possibility for tackling sustainable development. Not only did he himself have a strong energy industry background,⁹ but he also surrounded himself with numerous industry representatives, whom he appointed to positions within his administration and brought on board as advisers. Taken together, this point of departure did not bode well for the creation of a sustainable development policy regime during the Bush years. To the contrary, the Bush administration's actions facilitated the counter narrative to sustainable development, which focuses primarily on deregulation and privatization and which was initiated during the 1980s. To illustrate these points, I discuss the Bush administration's involvement with the 2002 U.N. Sustainable Development Conference and its reaction to the Kyoto protocol, the degree to which his administration dealt with sustainable development policy, as well as its ties to both the energy industry and the Wise Use movement. Throughout this section, I reference the administration's role in establishing the counter narrative to sustainable development.

⁹ Among other things, he established an oil exploration company in the 1970s.

The Bush Administration's Level of Engagement with the UN Sustainable Development Process

President Bush's engagement with the UN sustainable development process stands in sharp contrast to that of his predecessor. While President Clinton sent his Vice President Al Gore to deliver a speech in front of the U.N. Commission on Sustainable Development to announce the creation of the President's Council on Sustainable Development in 1993, President Bush chose not to attend the 2002 U.N. Sustainable Development Conference in South Africa. According to a *New York Times* report, leading up to the conference, conservatives "had urged Mr. Bush to avoid the event" (Dao, 2002). Numerous media reports discussed the President's absence from the conference and it was generally viewed as an affront towards the U.N. and the international community. *The New York Times*, for example, noted "Bush's absence [...] reinforces his well-deserved reputation [...] for indifference to environmental problems and reflexive hostility to multilateral remedies" (New York Times, 2002). Also, the fact that Bush chose not to attend the conference in South Africa indicated to many including critic Naomi Klein that "the issues being discussed [...] are low priorities for his Administration" (2002, p. 4). Instead of President Bush, his Secretary of State Colin Powell led the U.S. delegation to the conference. Powell, who attended the conference for a relatively brief amount of time, gave a ten-minute speech during which there were protests.

The Bush administration's perspective on the U.N. conference became clear in the press release in which it announced who would attend the U.N. sustainable development conference on behalf of the U.S. government. In the announcement, the administration noted that the conference presented a "unique opportunity to advance [a] new approach to development" (Government Printing Office, 2002, p. 1390). Furthermore, the press release noted, "the United States is a leader in creating more effective ways to combat poverty and raise standards of living,

recognizing that progress begins with sound domestic policies that promote good governance, investment in people, and economic freedom” (Government Printing Office, 2002, p. 1390). In his conference speech, Secretary of State Colin Powell reiterated these themes, as his speech focused on “widening the circle of development” to address poverty and famine (CSPAN, 2002). The circle could be widened, he argued, by stressing freedom¹⁰ and free trade. Powell mentioned environmental challenges as a mere side note to development and focused almost exclusively on issues related to foreign aid, completely disregarding what the U.S. government can do domestically to push for sustainable development. Moreover, the U.S. undersecretary of state for global affairs, Paula Dobriansky, made clear that the U.S. government opposed the creation of a World Environmental Organization (Appleyard, 2002). In an interview with Tech Central Station Europe, she noted:

Our view is that sustainable development begins and ends at home¹¹ – hence, our emphasis on domestic good governance, on economic reforms and investment in people. In Johannesburg, we are not looking at the creation of new bureaucracies. (As quoted in Appleyard, 2002)

As these announcements and Secretary Powell’s speech indicate, environmental concerns appear to play a minor role in the pursuit of sustainable development from the administration’s perspective, as the focus here lies almost exclusively on the development part of the equation. It is also notable that the language closely aligns with that of *Heritage Foundation* documents published around the same time (e.g. Morris, 2002), as both stress the importance of economic freedom.

¹⁰ Powell noted, “the best formula for development is freedom.”

¹¹ This reference is interesting since the Bush administration did not have a domestic sustainable development policy.

In addition to the absence of George W. Bush, his administration was also heavily criticized for its policy approach regarding the issues discussed at the U.N. sustainable development conference. For example, responding to the role that the U.S. played in the U.N.'s sustainable development conference, social activist and filmmaker Naomi Klein criticized the U.S. delegation for “belligerently blocking all proposals that involve either directly regulating multinational corporations or dedicating significant new funds to sustainable development” in a comment she wrote for *The Nation* (Klein, 2002, p. 4). Furthermore, other critics condemned the U.S. “for blocking efforts to set firm timetables for reducing oil and gas consumption” (Dao, 2002). One critic—Phil Clapp, President of the National Environmental Trust—even argued that the Bush administration was “part of ‘an axis of oil’” (Dao, 2002). Overall, the lack of time and priority that the administration devoted to the U.N. sustainable development conference underscores the argument that building a sustainable development policy regime was not on President Bush’s policy agenda.

Another indicator underscoring this argument is the fact that the Bush administration had also decided not to implement the Kyoto protocol, which world leaders including George H. W. Bush agreed upon at the previous U.N. summit in 1992. Other developed nations as well as environmental groups heavily criticized the administration for this decision (BBC, 2001). Even the administration’s own head of the EPA, Christine Todd Whitman, was quoted in *The Guardian* saying that this decision was “the equivalent of ‘flipping the bird’ [...] to the rest of the world” (Goldenberg, 2009). Furthermore, as Klein noted, the administration’s decision to abandon “the only significant environmental regulations that came out of the Rio conference” illustrates a problem of U.N. summits, like the ones in Rio and Johannesburg, namely the so-

called “implementation gap” (2002, p. 4). Contrary to the fears of some activists on the right¹², the U.N. cannot move nation states to actually implement actions agreed upon at U.N. summits. Referring to the Kyoto protocol in particular, Bush noted that he would not implement it because it would hurt the U.S. economy too much—an argument which illustrates that “America’s industrial economy comes first and the environment a distant second” (Appleyard, 2002).

Sustainable Development Policy Under President Bush

Apart from the administration’s involvement with the U.N. and its summits, it is important to consider the policymaking efforts relating to sustainable development initiated by the administration. President Bush did not press for a comprehensive sustainable development policy, particularly domestically. Overwhelmingly, the idea came up in the context of international politics. When searching the presidential documents database of the University of California – Santa Barbara’s Presidency Project, only sixteen entries come up in the keyword search for “sustainable development” and “George W. Bush.” Half of them are joint statements by President Bush and a foreign leader; six of them are fact sheets; one is a directive and another one is a message to the Senate. Only three entries have the term “sustainable development” in their title: 1) The “Statement Announcing the United States Delegation to the World Summit” (August 19, 2002), 2) the “Joint Press Release: Science and Technology for Sustainable Development: ‘3r’ Action Plan and Progress on Implementation” (June 10, 2004), and 3) the “Fact Sheet: Action on Climate Change, Energy and Sustainable Development” (July 8, 2005).

The first of these was already discussed in connection with President Bush’s decision not to attend the U.N. Sustainable Development Conference in 2002, so let us focus on the other two.

¹² In particular the anti-Agenda 21 movement, which I will discuss in Chapter 8.

The joint press release referred back to the 2003 G8 summit in Evian, France. It was there, that the Bush White House noted, “we agreed ‘to support the development of cleaner, sustainable and more efficient technologies’” (Bush, 2004). For that purpose, the G8 adopted the so-called “Action Plan on Science and Technology for Sustainable Development.” In connection with this broad action plan and its implementation, the press release announced that the U.S. will launch the so-called “Reduce, Reuse, and Recycle (“3R”) Initiative,” which is meant “to encourage more efficient use of resources and materials,” at the 2005 Ministerial Conference in Japan (Bush, 2004). In addition to this announcement, the press release lists various actions that the administration has taken to implement the Evian Science and Technology Action Plan. The actions, it should be noted, focus on improving energy efficiency and renewable energy technologies, using so-called “clean coal” and “next-generation nuclear energy technologies” as well as reducing trade barriers, not reducing demands for energy consumption.

The final Bush White House document that features “sustainable development” in its title is the climate change, energy and sustainable development fact sheet. Published on July 8, 2005, it noted that “today, President Bush and the G-8 Leaders agreed on a far-reaching Plan of Action to speed the development and deployment of clean energy technologies” (Bush, 2005). As this indicates, the action plan came out of the 2005 G8 summit, which was held in Scotland, and its key goal was to provide “affordable, reliable and secure energy” (Bush, 2005). Interestingly, it also argued that “stagnant economies are one of the world’s greatest environmental threats,” thereby making the case for economic development (Bush, 2005). Among others, the plan includes the following goals: improving efficiency, promoting use of “clean” energy—such as “nuclear power, clean coal technologies, clean diesel and methane”—, the development of hydrogen-powered vehicles, as well as strengthening the World Bank and pushing liberal

economic policies. It becomes clear that this fact sheet has a very similar policy focus as the press release from the previous year.

Both of these Bush administration documents reveal a strong emphasis on technological innovations and improvements as well as economic liberalism, thereby staying in line with arguments made by conservative economic interests and think tanks, such as the *Heritage Foundation* and the *American Enterprise Institute*. A quick look at a couple more of the entries that reference “sustainable development” in their text, but not in their title, further reinforces the assessment that the US approach to sustainable development at the international level focuses on the economic side of the equation. Let us consider the fact sheet about the “U.S. Actions at the G-8 Summit” from June 2, 2003, for example. The thematic foci of the summit were the global economy, security, and sustainable development. The actions specific associated with the broader goal of sustainable development were improving the environment and health through the development of new technologies, on the one hand, and implementing plans on famine relief and water action, on the other hand. Both of these actions were based on U.S. leadership. The press release regarding the September 27, 2007 meeting of the major economies on energy security and climate change is another such example. Attended by seventeen world leaders, the focus of this meeting was among other things increasing energy security and efficiency as well as promoting strong economic growth.

As all of these examples indicate, sustainable development under the Bush administration comes up almost exclusively in connection with international gatherings of the biggest economies, not within the context of domestic policymaking. In terms of the content of this internationally focused sustainable development policy, we can see that the administration is focusing on two strings of action: The promotion of 1) technological innovation and 2) economic

liberalism. The reduction of energy use and the strengthening of endangered species protections, among other relevant issues, are absent from the administration's sustainable development discussion. While some of the programs do affect the domestic policy realm, there is no coherent and comprehensive domestic sustainable development policy, which is further underscored by the fact that no institutional arrangements comparable to Clinton's Presidential Council on Sustainable Development existed under President Bush. Finally, the Bush administration's approach to sustainable development ties the idea into the counter narrative focused on economic growth, deregulation, and economic liberalism.

The Bush Administration's Industry Ties

One factor that may have driven the Bush administration's emphasis on technological innovation and economic liberalism is its strong connections to various industries, in particular—but not limited to—the energy industry, more specifically oil companies such as Halliburton. As widely reported, Bush came into office with the image as a “former oil man” (Goldenberg, 2009), some particularly sharp critics even deemed Bush a “dyed-in-the-wool oil man” (Appleyard, 2002). Even before George W. Bush was elected president, the Sierra Club warned of his strong industry ties by referring to the impact these ties have had on his environmental record or lack thereof as Governor of Texas (Silverstein, 1999). For example, as Governor of Texas, Ken Silverstein noted, Bush “has been far more vigilant in protecting private landowners from government regulation than in protecting state residents from private polluters” as he illustrates by discussing the case of the cement company TXI. According to Silverstein, Governor Bush allowed the company to almost triple the amount of hazardous waste it was burning to produce energy thereby putting the local community at a further increased health

risk.¹³ This action, Silverstein argued, may have stemmed from Bush's closeness to the industry, but in addition to that likely also from his heavy reliance on the neoliberal ideological argument for economic liberalism and against governmental regulations.

The argument concerning the impact of industry ties on Bush's policy decisions can be underscored by considering the role that industry funding has played in candidate Bush's election campaigns. Here the energy industry played a significant role. According to the website knowthecandidates.org, which cites the Center for Responsive Politics, Bush received almost \$1.5 million from the oil and gas industry for the 2000 election cycle, while his opponent Al Gore received less than \$100,000 (knowthecandidates.org, 2002).¹⁴ Overall, the oil and gas industry contributed over \$33 million during the 2000 election, 80 percent of which went to Republicans. The mining, chemical and timber industries contributed another \$21 million to Republicans in 2000 (Helvarg, 2004a, p. 320). During his re-election campaign in 2004, the oil and gas industry gave almost 3 million dollars to the Bush campaign. The energy and natural resources sector overall contributed a total of over 5 million dollars towards the reelection effort, while this sector was not even among John Kerry's top 20 contributing industries (Center for Responsive Politics, 2005 & 2013). Finally, the financial support of the oil industry for George W. Bush goes back further than the year 2000, as it was "Texas oil money that helped win him elected office as [G]overnor" of Texas (Helvarg, 2004a, p. 319). These numbers show that President Bush had the continued financial support of various industries and in particular the energy industry.

¹³ For example, higher than average respiratory problems, unusually high number of babies born with Down's syndrome, high levels of various carcinogenic compounds in the air, etc. (Silverstein, 1999)

¹⁴ Specifically: Bush \$1,463,799 - Gore \$95,460 (knowthecandidates.org, 2002).

Bush's critics cite his appointment record as another indicator to illustrate how industry ties and funding have influenced his policymaking. Once elected president, Bush appointed several industry representatives to key positions within the administration, most prominently his Vice President Dick Cheney, who was the Chairman and CEO of the oil company Halliburton from 1995 to 2000. As noted by Helvarg, Bush also appointed the chairman of Alcoa aluminum Paul O'Neill as his first Secretary of Treasury and Texas oilman Don Evans as his Secretary of Commerce (2004a, p. 317). Overall, Helvarg stresses, "President Bush and many of his top advisors come out of the ranks of the oil, energy, timber, and mining industries" (2004a, p. 318)—industries that also played a critical role in the Wise Use movement. Law professor Mary Christina Wood also notes, "[w]hen it came to make agency appointments, Bush stacked nearly all of the highest government offices with industry operatives" (2013, p. 22). Furthermore, she argues¹, that Bush's appointment of industry representatives went "beyond agency 'capture'" and instead "was more like [a] corporate conquest of government" (2013, p. 22).

Beyond the simple fact that President Bush appointed industry representatives, the conflict of interest that these major administration officials found themselves in soon revealed itself. In 2001, for example, Bush adviser Karl Rove met with representatives of a "company seeking federal favors while still holding stock in that company" (Helvarg, 2004a, p. 317). The meeting drew negative media coverage and criticism from Democrats, who pointed out the conflict of interest. Rove must have been aware of the conflict as well, as he quickly sold his shares following the meeting and the criticism it generated (New York Times, 2001). Other examples illustrate the corporate influence on the policymaking of the Bush administration even more clearly. While candidate Bush made the promise to reduce greenhouse gases during the 2000 campaign, shortly after his election President Bush went back on this promise (Goldenberg,

2009). The rejection of the Kyoto protocol discussed above is another example that reveals the influence of economic interests. In addition to corporate communication efforts, the Bush administration is widely known and criticized for injecting doubts into climate change science (Goldenberg, 2009). Finally, the establishment of a White House energy task force under Vice President Cheney in early 2001 may serve as the best example to underscore the point that corporate interests had a significant influence on policymaking during the Bush administration. The goal of the task force was “to formulate [an] oil production plan” (Helvarg, 2004a, p. 321). To come up with the policy plan, the White House gathered industry representatives, such as Enron CEO Ken Lay and FirstEnergy CEO Anthony Alexander. Thus, these corporate CEOs were directly involved in the policymaking process.

In addition to general industry ties, The Bush administration can also be connected to the industry-oriented Wise Use movement. The most prominent administration officials with direct connections to the movement were Interior Secretary Gale Norton, who began her career at the Mountain States Legal Foundation, which is the legal arm of the movement¹⁵, and Agricultural Secretary Ann Veneman as well as several of her staffers.¹⁶ Interior Secretary Norton, “a westerner and an outspoken critic of conservationists,” was the “president’s point woman in promoting ‘common-sense solutions to environmental policy’” and helped coach him about environmental issues when he was a presidential candidate (Helvarg, 2004a, pp. 317 & 325). She argued and pushed for the development of public lands by private energy companies for maximum exploitation of the natural resources they hold (Helvarg, 2004b; Barnhill, 2013), which is one of the central goals of the Wise Use movement. Norton may have the most substantial Wise Use background, but Vice President Cheney may be the highest-ranking Bush

¹⁵ Created by Secretary of Interior James G. Watt.

¹⁶ More details cf. Helvarg, 2004a: 326.

official with clear ties to the movement. At the time, Cheney was a board member of Wise Use organizations such as Frontiers of Freedom, a Wyoming-based ultra-conservative states' rights group (Helvarg, 2004a, p. 327). In addition to the examples already provided, there are various other lower level administration officials with Wise Use ties—too many to discuss here in detail. With the appointment of Norton, Veneman, and others with a Wise Use background, the policy agenda of the Wise Use movement has been incorporated into White House policymaking. The impact of these individuals and their line of argument can be seen in several of the administration's policies, most notably the push to drill for oil in the Arctic National Wildlife Refuge and the opening of the Tongass National Forest to wide scale logging.

The Congressional Reticence on Sustainable Development

During the presidency of George W. Bush, Congress was tacit with regards to sustainable development. No major, or even minor legislation dealing with sustainable development was passed.¹⁷ Overall, the legislative activity addressing sustainable development in Congress—summarized in Table 5.2—was sparse and far off from a comprehensive effort to push for sustainable development. Altogether, one bill and a handful of resolutions were introduced in Congress that included the phrase “sustainable development” in their title. None of them made it past the introduction stage. The relative silence of Congress about sustainable development may not come as a major surprise considering that, in addition to the White House, Republicans controlled Congress for a majority of the Bush years. Specifically, they controlled the House of

¹⁷ This assessment is based on the legislative activity mentioning “sustainable development” in its title. When searching for “sustainable development” not just in the title but also in the body text of various legislative activities, the number of results is much larger (107th Congress: 79; 108th Congress: 69; 109th Congress: 64; 110th Congress: 75). However, I assume that major attempts of addressing sustainable development would include the idea in the title.

Table 5.2: Legislative Activity Addressing Sustainable Development from 2001-2009

Congress	Legislative Action	Introduced by	Co-sponsors	Status of Legislation
107 th (2001 – 2003)	Resolution (S.Con.Res. 50 – A concurrent resolution recognizing the important contributions that local governments make to sustainable development and ensuring a viable future for our planet)	Democrat (Sen. Levin, Carl [D-MI])	1 (1 Democrat)	Introduced (Referred to Committee on Environment and Public Works)
107 th (2001 – 2003)	Resolution (S.Res.311 - A resolution expressing the Sense of the Senate regarding the policy of the United States at the World Summit on Sustainable Development and related matters.)	Democrat (Sen. John F. Kerry)	12 (11 Democrats, 1 Independent)	Introduced (Referred to Committee on Foreign Relations)
108 th (2003 – 2004)	Resolution (H.Res.782 - Affirming the commitments made by the United States at the World Summit on Sustainable Development in Johannesburg, South Africa, to improve worldwide access to safe drinking water and basic sanitation services.)	Democrat (Rep. Earl Blumenauer [D-OR])	42 (2 Republicans, 40 Democrats)	Introduced (Referred to the House Committee on International Relations)
108 th (2003 – 2004)	Resolution (H.Res.849 - Congratulating Wangari Maathai for winning the Nobel Peace Prize and commending her for her tireless work to promote sustainable development, democracy, peace, and women's rights in Africa.)	Democrat (Rep. Gregory W. Meeks [D-NY-6])	11 (11 Democrats)	Introduced (Referred to the House Committee on International Relations)
109 th (2005 – 2006)	Resolution (H.Res.27 - Congratulating Wangari Maathai for winning the Nobel Peace Prize and commending her for her tireless work to promote sustainable development, democracy, peace, and women's rights in Africa.)	Democrat (Rep. Gregory W. Meeks [D-NY-6])	15 (1 Republican, 14 Democrats)	Introduced (Referred to the Subcommittee on Africa, Global Human Rights and International Relations.)
109 th (2005 – 2006)	Bill (H.R.3419 - Northern Nevada Sustainable Development in Mining Act)	Republican (Rep. Jim Gibbons [R-NV-2])	0	Introduced (Referred to the House Committee on Resources)

Representatives from 2001 to 2007 and the Senate from 2003 to 2007.¹⁸ Furthermore, it had been Democrats, foremost Presidents Carter and Clinton, who up until then had initiated major policy initiatives for sustainable development, not Congress.

In the 107th Congress (2001-2003), during which the Democrats had control of the Senate and the Republicans controlled the House, Democratic senators introduced two sustainable development resolutions in the Senate. The first was a concurrent resolution S.Con.Res.50 entitled “A concurrent resolution recognizing the important contributions that local governments make to sustainable development and ensuring a viable future for our planet,” which was introduced in June 2001 by Senator Carl Levin from Michigan and referred to the Committee on Environment and Public Works. Specifically, the resolution recognized Ann Arbor, Michigan, which the International Council for Local Environmental Initiatives (ICLEI) selected to host a preparatory meeting for the 2002 U.N. World Summit on Sustainable Development. The resolution had one co-sponsor—another Representative from Michigan. The second was S.Res.311 “A resolution expressing the Sense of the Senate regarding the policy of the United States at the World Summit on Sustainable Development and related matters” introduced in July 2002, right before the summit convened, by Massachusetts Senator John Kerry and 12 co-sponsors. Except for Independent Senator Jim Jeffords, all co-sponsors of the resolution were Democrats. With the resolution, the senators sought to urge President Bush to lead the U.S. delegation to the U.N. summit as this “would send a strong signal of United states support for the goals of sustainable development.” But President Bush ultimately chose not to attend the

¹⁸ During the 107th Congress, Democrats controlled the Senate for all but 4 months and 17 days. Initially, when the Senate was split 50/50, Democrats had control due to Vice President Al Gore’s tiebreaking vote. Once the new administration was inaugurated, Republicans gained control of the Senate. But in June 2001, Vermont Republican Senator Jim Jeffords decided to become an Independent and caucus with Democrats, which meant that Democrats regained control of the Senate.

summit. S.Res.311 was referred to the Senate Foreign Relations committee. Both of these Senate resolutions did not make it out of the committee they were referred to.

Another two sustainable development resolutions were introduced in the 108th Congress, in which the Republicans controlled both the House and the Senate. This time both resolutions were introduced in the House. Democratic Representative Earl Blumenauer from Oregon introduced H.Res. 782 in September 2004. The resolution entitled “Affirming the commitments made by the United States at the World Summit on Sustainable Development in Johannesburg, South Africa, to improve worldwide access to safe drinking water and basic sanitation services” was referred to the International Relations committee. As the title indicates, the resolution followed up on the 2002 U.N. summit affirming the commitments made there by the U.S., in particular the Water for the Poor Initiative. Out of the 42 co-sponsors of the resolution only two were Republicans. Just one month later, in October 2004, Representative Gregory W. Meeks (D-NY) introduced H.Res.849 “congratulating Wangari Maathai for winning the Nobel Peace Prize and commending her for her tireless work to promote sustainable development, democracy, peace, and women’s rights in Africa.” All eleven co-sponsors of the resolution were Democrats. This resolution was also referred to the International Relations committee. Again, both resolutions died in committee.

Finally, the 109th Congress, still controlled by Republicans, saw another resolution as well as a bill addressing sustainable development. The resolution (H.Res. 27) was identical to that introduced in the 108th Congress as H.Res. 849. Representative Meeks made another attempt to congratulate Wangari Maathai for winning the Nobel Peace Prize; again the resolution got stuck in committee. Only one of the fifteen co-sponsors was a Republican. Interestingly, it was a Republican representative, Jim Gibbons from Nevada, who sponsored the bill entitled “Northern

Nevada Sustainable Development in Mining Act” that was introduced in the House in July 2005. Contrary to the Democratic resolutions, which generally placed sustainable development in the context of the U.N., Representative Gibbons’ understanding of sustainable development differed substantially. The bill, H.R.3419, sought to:

Direct the Secretary of Interior to dispose of certain public lands that are subject to mining operations in Pershing County, Nevada, to support sustainable development opportunities for the community [...] through privatization of the lands allowing for productive post-mining land use that provides for economic development opportunities and local government revenues [...]. (H.R.3419, 2005, p. 1)

The focus of the bill is clearly further economic development, i.e. to “continue providing jobs and other economic benefits,” not environmental sustainability (H.R.3419, 2005, p. 2). This becomes particularly evident given that one of the suggested post-mining land uses cited in the bill is to use the “mine site as a State-permitted landfill for municipal or industrial wastes or construction debris.” As such, the text of the Republican-sponsored bill reads as if it has its intellectual origins in the Wise Use movement and the counter narrative focused on privatization and deregulation, not U.N. sustainable development policy. Even though Republicans controlled both houses of Congress at the time, the proposed bill did not make it very far as it was referred to the Subcommittee on Forests and Forest Health where it died. Interestingly, the 110th Congress, which was controlled by Democrats, did not take up the issue of sustainable development.

As this brief assessment illustrates, the attempts of Congress to pass legislation addressing sustainable development during the Bush presidency were rather insignificant and sparse. Considering that all five resolutions were introduced by a representative of the minority party, it is not surprising that none of them made it out of committee. It is noteworthy, however,

that the sole bill, though a member of the majority party introduced it, did not make it further than the Democratic resolutions. Furthermore, these legislative activities illustrate the substantial intellectual differences with which Republicans and Democrats approach the environmental policymaking and the idea of sustainable development. While Democrats firmly place the idea in the context of U.N. sustainable development policymaking, the sole Republican-sponsored piece of legislation aligns sustainable development with ideas that represent the Wise Use agenda, specifically property rights and privatization. Based on the congressional record of sustainable development legislative action, we can conclude that neither Congress as a whole nor individual members in particular acted as strong supporters for the creation of a sustainable development policy regime during the time that the President Bush was in office. Neither party attempted to introduce and pass major sustainable development legislation, which means that overall Congress was reticent in regards to sustainable development during that time.

The Interplay of Interests, Ideology, and Institutions

Every policy idea must clear several institutional hurdles, most notable the president and Congress, to become the foundation of a policy regime. To a large degree, these institutions determine whether an idea makes it onto the policy agenda, which is a necessary step towards policy action. The analysis of various governmental documents reveals that the supporters of sustainable development were almost entirely shut out of the policy debates within the White House and Congress. The president did not pursue sustainable development policies and Congress did not pass any sustainable development legislation. In contrast, the opposing interests were clearly more successful in advocating for the alternative neoliberal paradigm that they proposed. As the evidence above illustrates, the Bush administration had strong ties to both—the

energy industry and the proponents of Wise Use. These ties have shaped the policy thinking of the administration, especially when it came to environmental policy. Overall, the president's environmental policy seemed dictated by economic concerns and industry interests. It is not surprising given this context that the idea of sustainable development moved to the background and did not substantially impact policymaking during the President Bush's tenure. What is more, in the few cases that the idea did make an appearance in White House documents, it was closely tied to the push for free trade, technological innovation, and what the administration defined as "clean" energy. Thus, the focus rested on the economic side of the equation and the environment was mostly left out. Overall, both the Bush administration and Congress made little to no effort to push the idea of sustainable development onto the policy agenda and to sustain or create institutional arrangements to move the idea forward. To the contrary, President Bush and most of his appointees are part of the interest opposition against sustainable development and played their part in advance the alternative, neoliberal paradigm.

Contextual Factors

Several contextual factors had the potential to impact policymaking during the Bush presidency. This includes both the failure to create and support a sustainable development policy regime and the evolution of the alternative policy regime based on neoliberal ideas. The potentially relevant contextual factors are the presence of external shocks, the state of the economy, public opinion, and ideology. In what follow, I briefly examine each of these factors in turn to better understand their role in the policy debate under investigation.

External Shocks

During the Bush presidency, there were several significant external shocks that might have impacted policymaking in some way. The two biggest ones are the 9/11 terror attacks and Hurricane Katrina. The 9/11 terror attacks did not have a direct effect on environmental and sustainable development policymaking, apart from the local environmental impact that the attacks had in Lower Manhattan on the first responders and locals. However, the attacks triggered a unity among the political elites in Washington that did not exist prior to them. As a consequence, while Congress initially “offered some resistance to Bush’s deregulatory push,” after September 11th, “Congress was more inclined to support the president’s agenda” (Layzer, 2014, pp. 270-271). As a consequence, the counter narrative to sustainable development, which emphasizes deregulation and privatization, gain more traction in the aftermath of 9/11. One could have expected that Hurricane Katrina had a more direct impact on environmental and sustainable development policymaking, but this did not seem to be the case as Bush’s handling of environmental policy post-Katrina remained driven by his adherence to deregulation and privatization. Thus, while 9/11 propelled the deregulation narrative, Hurricane Katrina did not lead to this counter narrative to sustainable development losing traction.

The State of the Economy

The U.S. economy during the Bush years was marked by turbulence, particularly at the end of his presidency with the collapse of the housing market and the subsequent banking crisis. The GDP annual growth rate started out at almost 1 percent when President Bush took office, then rebounded to 3.8 percent in 2004, and dipped below zero in 2008 (World Bank, 2017a). The unemployment rate bounced up and down as well. When President Bush took office in January

2001, it was at 4.2 percent. Throughout 2002 and 2003 it hovered around 6 percent, then dropping back down ranging between 4 and 5 percent throughout 2006 and 2007 before it rose to over 7 percent by the time Bush left office and the financial crisis hit (Bureau of Labor Statistics, 2017). The economic situation certainly presented an obstacle to environmental policymaking during that time; but given the power balance in Congress and the White House, it is unlikely that a better and more stable economic situation would have led to comprehensive sustainable development policymaking.

Public Opinion

While President Bush was in office, public opinion according to various Gallup polls was generally supportive of environmental action and policymaking as a large majority of Americans worried either a great deal or a fair amount about the quality of the environment (Gallup, 2017).¹⁹ Initially, a majority of Americans thought that President Bush did a good job handling the protection of the environment, but the number of Americans who believed that decimated throughout his tenure and reached 30 percent in 2007 from 51 percent in 2001. Given this assessment, it is not surprising that a majority of Americans believed that the quality of the environment in the U.S. was getting worse under Bush. As a consequence, a majority ranging from 51 percent in 2003 to 62 percent in 2006 thought that the government was doing too little to protect the environment. Finally, and maybe most surprisingly, a majority of Americans during that time prescribed to the view that the “protection of the environment should be given priority, even at the risk of curbing economic growth. Given these public opinions, one might expect more governmental efforts to pursue sustainable development policymaking during that time.

¹⁹ 2008: 74 percent; 2007: 76 percent; 2006: 77 percent; 2005: 65 percent; 2004: 62 percent; 2003: 68 percent; 2002: 66 percent; 2001: 77 percent.

But this was not the case, which means that overall public opinion did not move national elected officials to adopt sustainable development policy.

Ideology

While it was President Reagan who first popularized a new brand of capitalism focused on privatization and deregulation in American policymaking, it was under President George W. Bush that this narrative gained a significant amount of traction. Thus, the ideological shift away from the New Deal and the Great Society took hold of policymaking. The establishment of this counter paradigm, which Mark Smith describes as “the right turn in American politics,” constrained the opportunities for sustainable development regime building during the Bush years and beyond.

Summing Up

Several of these contextual factors impacted the failure to address sustainable development as well as the dominance of the alternative neoliberal policy regime during the Bush presidency. Foremost, the 9/11 terror attacks reset the policy agenda to focus on national security and at the same time, they created unity among the political elites that preempted substantial criticism to President Bush’s policy agenda. Somewhat surprisingly, Hurricane Katrina did not lead to any consideration of sustainable development policymaking. In addition to these external shocks, the overarching ideological shift to neoliberalism that began in the 1970s constrained the opportunities for sustainable development regime building. And while public opinion was generally favorable to environmental policy action, it did not outweigh the strength of the alternative neoliberal policy regime, which gained substantial momentum under

President Bush, as well as the ideological shift that facilitated it, and the interests that supported it. Assessing the impact that the state of the economy had on policymaking during that time is challenging. Both the annual GDP growth rate and the unemployment rate fluctuated. But even when the economy grew and unemployment was down, sustainable development did not gain any traction.

Conclusions

The Bush presidency directly followed a period during which the only serious attempt of establishing a sustainable development policy regime was made. It was President Bush's predecessor Bill Clinton who sought to establish a sustainable development policy regime following the U.N. Earth summit in 1992. The result of President Clinton's efforts was a nascent sustainable development policy regime that needed continued support from both interest groups, think tanks, and advocacy organizations as well as elected officials to become a robust and durable policy regime. But then the power balance in Washington DC shifted once more, as it did after the publication of the *Global 2000 Report* in 1980, and Republican George W. Bush was elected president in a highly controversial election. Had Bush's opponent Al Gore succeeded, the sustainable development policy trajectory would have seen more continuity. Instead, President Bush and his allies reframed the policy debate in terms of deregulation and privatization, a move that ties into the arguments made by previous Republican presidents, most notably President Ronald Reagan, who made similar arguments in response to the *Global 2000 Report*.

The Bush presidency serves as a critical juncture in the sustainable development policy trajectory in the U.S. because it represents a sharp departure from the pursuit of sustainable

development under President Bill Clinton. Analyzing this juncture helps us to understand not only why the creation of a sustainable development policy regime was never attempted during the Bush presidency years, but also why the overall sustainable development policy trajectory in the U.S. is marked by large shifts and disruptions instead of continuity as is the case in Germany. Every time sustainable development becomes a policy priority in U.S. national politics, the pendulum seems to be bound to swing back in the opposite direction.

Ultimately, the trajectory of sustainable development during the Bush presidency was less about sustainable development than it was about an alternative to it. With the backing of the Bush administration and the reticence in Congress, interest groups under the banner of Wise Use as well as conservative think tanks and advocacy organizations built an interest network in support of an alternative, neoliberal policy paradigm. This development in conjunction with the outcome of the 2000 election precluded any serious engagement with sustainable development ideas and interests. As a consequence, sustainable development all but disappeared from the national policy agenda. The fact that the trajectory of sustainable development shifts so clearly and abruptly with every change in the partisan political power balance in the executive branch reflects the structural setup of the American political system with a two-party system that inhibits consensus building and enhances polarization.

The alternative, neoliberal policy paradigm was so successful in gaining traction for a number of reasons. The most immediate cause was the change in which party occupied the White House. With a Republican president who was clearly sympathetic to them, the supporters of neoliberal policy ideas had an easy time clearing this institutional hurdle. Following the 9/11 terror attacks and the midterm election that increased the number of Republican Representatives and Senators, Congress, the other significant institutional hurdle, became “more inclined to

support the president's agenda" (Layzer, 2014, p. 271). The macro political forces that shape and constrain the opportunities for policy regime development were another reason. Specifically, the development of both sustainable development and neoliberal policy ideas was constrained by the "right turn" of American politics (Smith, 2011). While this turn to the right made it more challenging for sustainable development to gain traction, it eased the path of neoliberal ideas towards policy regime status. Finally, it should be noted that these neoliberal ideas have a long history in American politics. As part of that history, the opponents of the *Global 2000 Report* already relied on them to defeat the ideas articulated in President Carter's report.

In addition to the structural characteristics of American politics and the broad ideological shift towards the right, several other contextual factors had the potential to influence the policy debate in one direction or another and some of them did. The 9/11 terror attacks, for example, enabled the neoliberal policy paradigm to gain further traction because the patriotism and consensus it triggered encouraged members of Congress to support the president as a show of unity. Surprisingly, some other contextual factors did not seem to impact the policy debate. For one, while public opinion was supportive of stronger environmental policy action, the Bush administration did not respond to it. Also, Hurricane Katrina, one of the worst natural disasters in American history, did not trigger a debate about sustainable development even though scientists and supporters of sustainable policies often connected natural disasters to climate change. Finally, the state of the economy fluctuated quite a bit during the Bush presidency, but the economic ups did not increase the chances for sustainable development to become a part of the policy debate.

PART III:
INSTITUTIONAL ARRANGEMENTS

CHAPTER 6

Search for Consensus:

President Clinton's Council on Sustainable Development

Following the 1992 United Nations Conference on Environment and Development (UNCED), which generated the Agenda 21 action program among other documents and agreements, newly elected U.S. President Bill Clinton created the President's Council on Sustainable Development (PCSD) by executive order during his first year in office. The PCSD was an advisory council that brought together government officials, business leaders, and representatives from environmental groups. Clinton established the council so that these stakeholders could offer him their policy recommendations "to help set policies that grow the economy and preserve the environment for our children and our children's children" (Clinton, 1993). Thus, the goal of the council was to advance sustainable development policymaking. As such, the PCSD represents the first attempt by the executive branch to create an institutional structure that pursues the idea of sustainable development at the national level. It is the second attempt by a U.S. president to put sustainable development on the policy agenda. The first president to make that attempt was Jimmy Carter with the publication of *The Global 2000 Report*, which I discuss in detail in chapter 3. Since the existence of a strong institutional design is critical for the advancement of policy ideas, it is necessary to examine the PCSD in detail with a particular focus on the work it accomplished, the interests it engaged, and the relationships it built with other elements within government. Thus, this chapter is an in-depth examination of the

PCSD as it discusses the council as a keystone for a sustainable development policy regime at the national level.

For a variety of reasons, which I address in this chapter, President Clinton and his sustainable development council were unable to initiate and shape a viable policy regime for sustainable development. While the PCSD did some innovative work to advance the idea of sustainable development—particularly by bringing together various interests that are commonly on opposing sides of issues related to sustainability and forging a consensus in support of sustainable development between them—, its own limitations as well as the pushback it faced from the Republican-controlled Congress following the historic 1994 mid-term elections undermined its ability to advance sustainable development policymaking.

Despite its inability to function as a keystone for a national sustainable development policy regime, it is instructive to examine the President's Council on Sustainable Development for multiple reasons. First, the existence of the council represents an important historical juncture in the United States as it was the first and most comprehensive attempt by a president to establish an institutional structure to guide national sustainable development policymaking. Second, the shortcomings and limitations of the PCSD itself as well as the broader institutional structure in conjunction with the pushback from Congress reveals the importance of the political and ideological context that shapes the boundaries of potential reform.

This chapter first addresses the Clinton campaign and administration's approach to economic and environmental policy. Then, it lays out the ideational foundation underlying the PCSD, which is followed by an examination of the council's structure and role in policymaking. Thereafter, I analyze the council's relationship to other elements within the executive branch, focusing on the interagency working groups that were created to help implement the council's

recommendations. In addition, I explore the role of several organizations at the regional and local level that the PCSD helped to create. Subsequently, I address the congressional pushback that Clinton and the council faced before elaborating on the broader impact of the PCSD. Finally, I examine the influence of several contextual factors and draw conclusions about the PCSD's role in sustainable development policymaking and regime building.

The Clinton Campaign & Administration: Economic & Environmental Policy

Before assessing the PCSD in detail, it helps to contextualize the council and its work in the broader framework of candidate and President Clinton's economic and environmental policy. As is well known, Governor Clinton stressed the importance of the economy in his 1992 presidential campaign—proclaiming, “it's the economy, stupid.” Interestingly, however, in an article published just weeks before the 1992 election, New York Times reporter Keith Schneider notes, “Mr. Clinton calls any effort to sacrifice the environment for jobs a ‘false choice’” (Schneider, 1992). This illustrates a central tenant of Clinton's understanding of the relationship between the economy and the environment—an understanding that differs from that of “old” Democrats and one that Martin Nie summarizes as a “moderate ‘new Democrat’ approach to environmental policy” (Nie, 1997: 42). The idea is that the economy and the environment have a symbiotic relationship. Thus, a strong economy and a healthy environment go hand in hand instead of contradicting each other and “the opportunity for a clean environment invariably presents new economic opportunities” (Nie, 1997: 41). Nevertheless, the economy remained the central theme of Clinton's campaign and ultimately still trumped the environment as environmental policy was viewed in economic terms.

Since Clinton himself “was a self-styled new Democrat with an innate knack for compromise and a commitment to the economy” and not an environmental warrior (Cushman Jr. & Egan, 1996), he selected Senator Al Gore as his Vice-Presidential candidate to stress the importance of the environment. Gore had just published the book *Earth in the Balance: Ecology and the Human Spirit* in which he noted, “rescuing the environment [is] the central organizing principle for civilization” (as quoted in Cushman Jr. & Egan, 1996). It was likely also Gore, who pushed the idea of sustainable development onto the administration’s policy agenda, as it was one of his favorite mantras. In a speech Clinton gave during a White House ceremony on June 14, 1993, he noted: “I don’t want to make any bones about it... When we had our first very long meeting, one thing that then Senator Gore said was that he wanted to be part of a ticket that—if elected—could put the environment back on the front burner in American public life” (Clinton, 1993). Thus, it is clear that it was Gore who had shown strong leadership on environmental issues.

Of course, arguing for a symbiotic relationship between the environment and the economy, which was reflected in the combination of the candidates’ policy emphases, was not without its challenges. It led to some ambivalence and a “constant tension between [...] strong environmentalists and Gore loyalists [on the one hand and the] noncommittal number-crunchers and a cadre of political movers and shifters [on the other hand]” (Cushman Jr. & Egan, 1996). In addition, while it allowed the presidential ticket to “draw support from [...] multiple and resourceful interest groups and constituencies” during the campaign (Nie, 1997, p. 46), there was also the danger of ultimately not satisfying anyone when it became time to govern.

When it came to the specifics of environmental policy-making, candidate Clinton “promised that as President he would ban new offshore oil and gas drilling, support an

international treaty to control emissions of carbon dioxide [...] and convene a meeting to settle differences between environmentalists and loggers in the Pacific Northwest” (Schneider, 1992). After his first four years in office, Nie assessed that Clinton “clearly supports a number of pro-environment positions and can claim a few accomplishments, [but that] he fails to tackle seriously several pressing environmental issues” (1997, p. 45). Key achievements included Clinton’s strong support for the Clean Water Act, his effort to raise the Environmental Protection Agency to the cabinet level, and his threat “to veto any legislation that allows for oil and gas development in the Arctic National Wildlife Refuge” (Nie, 1997, p. 44). On the other hand, environmental groups criticized the president for his willingness to compromise and his effort to satisfy both economic and environmental interests at the same time.

Overall, President Clinton did institute a new approach to economic and environmental policy—one that emphasized symbiosis rather than antagonism. Of course, the process of working towards such symbiosis was marked by tensions between those stressing environmental concerns and those emphasizing the economy. Ultimately, despite public support, Clinton’s environmental policy as well as the success of the PCSD was limited due to the broader political context. The political climate after the 1994 congressional election in particular was characterized by “increased partisan bickering and ideological polarization” and as a consequence of the divided government, “Clinton’s environmental record proves to be mainly a succession of presidential vetoes” and his attempts of coalition building, bargaining and compromise were ultimately unsuccessful (Nie, 1997, pp. 47 & 49).

The Ideational Foundation

To more fully understand the Clinton administration's attempt of establishing sustainable development as a key element of policy, it is important to consider the ideational foundation upon which the president and his team built the PCSD as an institutional structure. After all, along with the institutional arrangements and the interest alignments, the ideational foundation is one of the three critical parts of every policy regime. Thus, it is worthwhile taking a closer look at the components and the coherence of the idea of sustainable development in the context of the PCSD.

Overall, the Clinton administration's definition of sustainable development focuses on the symbiotic relationship between economic development and environmental protection, which is also reflected in Clinton's overall approach to environmental policy. The origin of that definition is the U.N.'s *Brundtland Report*. And it is this definition that provides the ideational foundation for the work of the PCSD. Two ideas that are connected to sustainable development—technology and overpopulation—reveal both a lack of ideational coherence and the existence of potential challenges. The administration had an ambivalent understanding of the role of technology, both praising and warning of its potential, and it emphasized the issue of overpopulation even though that issue has already drawn significant criticism throughout the 1980s and was ultimately abandoned by the environmental movement (Beck & Kolankiewicz, 2000, p. 123). Thus, the ideational foundation that the Clinton administration established was not without problems.

The executive order that established the PCSD explicitly defined sustainable development “as economic growth that will benefit present and future generations without detrimentally affecting the resources or biological systems of the planet” (Executive Order No.

12852, 1993). As such, Clinton adopts aspects of the widely accepted definition of the idea found in the U.N.'s *Brundtland Report*; however, he stresses the concept of “economic growth” more explicitly than previous definitions, which simply referred to “development” in general without specifying the type of development.

The assumption of a symbiotic relationship between the environment and the economy that underlies President Clinton's environmental policy also builds the ideational foundation that the PCSD was based on. The policy idea of sustainable development combines economic development with the concept of sustainability and stresses their compatibility. As Vice President Al Gore noted in his speech to the U.N. Commission on Sustainable Development on June 14, 1993:

We must once and for all abandon the idea that economic development and environmental sustainability are incompatible. Economic development is no excuse for environmental vandalism. [...] Economic progress without environmental destruction, that's what sustainable development is all about. (Gore, 1993)

At a Rose Garden ceremony to announce the PCSD later that day, President Clinton reinforced this idea by stating, “America can set an example by achieving economic growth that can continue through the lifetimes of our children and grandchildren because it respects the resources that make that growth possible... That is what we mean by sustainable development” (Clinton, 1993).

Consequently, the overall task of the PCSD was to accomplish a balance between the economy and the environment by determining ways that we can grow the economy while preserving the environment at the same time. When addressing his overall expectation for the council, Clinton noted, “I am asking [the members of the PCSD] to find new ways to combine economic growth and environmental protection to promote our best interests in the world

community, to bring our people together to meet the needs of the present without jeopardizing the future” (Clinton 1993). Thus, the symbiosis between economic growth and environmental preservation is at the heart of sustainable development as defined by President Clinton and Vice-President Gore. The belief that a “healthy economy and a healthy environment go hand in hand” is then supplemented by the principle of American leadership, i.e. “American must lead the way in promoting economic growth and environmental preservation at home and abroad” (Clinton 1993). By reframing the relationship between the economy and the environment, the Clinton administration seeks to “move beyond the false choices and unnecessary antagonisms of the past” (Clinton 1993)—beyond a policy discussion that is based on the assumption that developing and growing the economy is inescapably in contradiction and in conflict of preserving the natural environment.

Several PCSD publications later reinforced this ideational foundation. When addressing the council’s vision of sustainable development, the authors of the 1996 PCSD report *Sustainable America*, for example, emphasize:

Our vision is of a life-sustaining Earth. [...] A sustainable United States will have a growing economy that provides equitable opportunities for satisfying livelihoods and a safe, healthy, high quality of life for current and future generations. Our nation will protect its environment, its natural resource base, and the functions and viability of natural systems on which all life depends. (President’s Council on Sustainable Development, 1996; cf. Tridico 1999: 230)

In addition to the general understanding of the relationship between the economy and the environment as well as the presumption of a U.S. leadership role, however, there are also narrower or rather more specific ideas that are discussed under the umbrella of sustainable development during the Clinton years, among them are technology and overpopulation.

The way that President Clinton and Vice President Gore discuss technology in the context of sustainable development is somewhat ambivalent. On the one hand, Clinton stresses the immense potential that technology has for both sustainable development and the U.S. economy. By becoming a leader in technological innovations that help us make sustainable development a reality, the U.S. cannot just make the world a more sustainable place, but also grow its economy, as these technologies are in high demand worldwide. On the other hand, Vice President Gore noted in his speech to the U.N. Sustainable Development Commission that the emergence of new and powerful technologies is not always for the best, in particular when these technologies are used for exploiting the earth (1993). The latter is a rather surprising point, as technological innovation is commonly cited as a key to addressing the challenges associated with the increasing use of natural resources as well as environmental degradation and pollution. This particular aspect of the broader policy idea of sustainable development underscores the differences between the President, who tends to stress the economy more, and his Vice President, who focuses more on the environment.

Another interesting component of the ideational foundation of sustainable development is the issue of overpopulation. The issue had been a critical element of environmental arguments in the 1970s and 1980s, but during the 1980s in particular, it faced a substantial amount of criticism, as Julian Simon argued that people are our most valuable resource—“the ultimate resource.” Nevertheless, Vice President Gore warned the world distinctly of the dangers of overpopulation in his address to the U.N. Commission on Sustainable Development urging for “a concerted attack on overpopulation” (McAllister & Kenworthy, 1993). In the speech, he noted that the population explosion is one of the key challenges we are facing. To underscore that point, he went on to explaining the exponential growth of the world population and its

environmental consequences. He also acknowledged that the population of developed nations is contributing disproportionately to the problem, as only a quarter of the world population lives in developed nations, yet they use three quarters of the world's natural resources. Later on, in 1996, the PCSD also pointed out that “domestic population growth means we'll need to increase our energy efficiency 50 percent in the next half century just to run in place” (McKibben, 1998). Because the administration saw the population issue as a critical one to address, it announced in early May 1993 that it “would put control of the exploding world population high on its agenda and would increase foreign population aid for population programs,” thereby “reversing the Bush and Reagan positions” (Cushman Jr., 1996).

The Importance of Institutional Structures

Institutions are a key component of every policy regime. Ideas cannot gain traction unless policy entrepreneurs embrace and advance them within existing governing institutions, or newly created ones like the President's Council on Sustainable Development, which President Clinton established with the expressed purpose of promoting the principles of sustainable development. Thus, it is necessary to examine the work of the council and its attempts to mold interests in support of sustainable development, which means focusing on the interplay of interests and institutions. In addition, it is important to assess how the PCSD connected to other elements of government as well as what its relationship to organizations at the regional and local level was. When considering the broader institutional context, it is also essential to analyze how Congress addressed sustainable development at the time in conjunction with how it reacted to the work of the PCSD. The congressional response is particularly important because Congress has the power

to make laws as well as the power of the purse. Thus, it represents a substantial institutional hurdle for comprehensive sustainable development policymaking.

Ultimately, all of these aspects had the potential to either reinforce or undermine the effectiveness of the council and with it the degree to which sustainable development could gain traction. It becomes clear that the council was successful in building relationships with other elements of government as well as organizations at the regional and local level, which reinforced its work. At the same time, it did make a valiant effort to mold interests in support of sustainable development. However, its efforts could not overcome the overall partisan differences, which the congressional response to the council's work illustrates.

The Structure and Role of the PCSD

To better understand the broader impact of the PCSD and the degree to which it enabled the idea of sustainable development to gain traction, it is necessary to address how the council was established and structured as well as what role it played. Thus, the following section discusses the creation of the PCSD, its membership as well as its leadership, and the tasks the president assigned to the council. This includes an examination of its consensus-building efforts as well as the three phases that its work can be divided into.

Establishing the PCSD

President Clinton announced the creation of the PCSD at a White House ceremony in the Rose Garden on June 14, 1993. Earlier that day, Vice President Al Gore gave a speech at the inaugural session of the U.N. Commission on Sustainable Development, which was tasked with

carrying on the work and implementing the agreements of the U.N. conference from the year before. In his speech, Gore assured the members of the U.N. Commission:

If there is any doubt about the support of the United States for that commitment [to sustainable development], let me lay it to rest right here and now. This administration not only supports that commitment, we intend to join with all those determined to demonstrate real leadership. (Gore, 1993; quoted in Stevens, 1993)

In addition, Gore not only discussed a broad range of environmental problems in some detail, he also listed steps the Clinton administration has already taken and some that it planned on taking to underscore its commitment to sustainable development and to implementing the agreements of the 1992 Earth Summit. The establishment of the PCSD represents yet another indicator stressing the administration's commitment to sustainable development. The council, Gore noted, is a "new partnership" that will contribute to the American sustainable development action plan, which the U.S. government will provide to the U.N. Commission on Sustainable Development.

Furthermore, he argued that national responsibility and the building of partnerships are two critical guiding principles to which the U.S. government is committed: "Will the United States show that sense of commitment? We can and we will. That is why I am here today" (Gore, 1993).

When President Clinton formally announced the creation of the council, he noted that its purpose is "to help set policies to grow the economy and preserve the environment for our children and our children's children" (Clinton, 1993). At the Rose Garden ceremony, Clinton also introduced the two co-chairs of the PCSD—Vice-President of Dow Chemical David T. Buzzelli and the President of the World Resources Institute Jonathan Lash—and stressed Vice President Gore's leadership on the issue. Two weeks later, President Clinton signed Executive

Order 12852, which formally established the PCSD as a temporary institutional structure initially for the duration of two years. Later, Clinton extended the life of the PCSD multiple times until it was dissolved in 1999. In total, the council existed from June 1993 to June 1999.

The council was charged with the task of advising President Clinton on sustainable development—in his own words “to help [him] set policies” (Clinton, 1993)—and to develop “bold, new approaches to achieve our economic, environmental, and equity goals” (PCSD, n.d.-a). In addition, one of its key functions was to “come up with a plan for the nation’s role in fulfilling the Rio accords” (Stevens, 1993). The fundamental objective was to forge a consensus among the various stakeholders and to create a viable sustainable development strategy that articulated the interests and concerns of all groups, which were incorporated via the council’s membership as well as a broad variety of public comments. According to Executive Order 12852, the council “shall coordinate with and report to [...] the executive branch,” “advise the President,” “develop and recommend [...] a national sustainable development action strategy,” “invite experts to submit information,” and “form subcommittees” (Executive Order No. 12852, 1993). The council was administered as federal advisory committee under the Federal Advisory Committee Act and its mission was prescriptive in nature; it emphasized agenda setting rather than policy implementation. Given its task description, Tridico points out that the PCSD equates to a non-coercive means (Tridico, 1999, p. 228), which already indicates some of its limitations. Ultimately, the list of tasks that the President asked the PCSD to fulfill indicates that the PCSD’s power was mainly limited to engaging a variety of stakeholders and advising the President.

The PCSD’s diverse membership was tasked with fulfilling the role of advising the President on matters related to sustainable development. According to Executive Order 12852,

Table 6.1: Distribution of PCSD Membership by Sector

Category	Government	Business	Non-Profit
Count	11	7	7
Percent	44%	28%	28%

Source: President's Council on Sustainable Development, PCSD (n.d.-b)

Table 6.2: Members of the PCSD by Sector

Government	Business	Non-Profit
• Aida Alvarez (Administrator, U.S. Small Business Administration) • Bruce Babbitt (Secretary, U.S. Dept. of Interior) • Carol M. Browner (Administrator, U.S. Environmental Protection Agency) • Andrew Cuomo (Secretary, U.S. Dept. of Housing & Urban Development) • William Daley (Secretary, U.S. Dept. of Commerce) • Randall Franke (Commissioner, Marion County, Oregon) • Dan Glickman (Secretary, U.S. Dept. of Agriculture) • Bill Richardson (Secretary, U.S. Dept. of Energy) • Richard W. Riley (Secretary, U.S. Dept. of Education) • Susan Savage (Mayor, City of Tulsa, Oklahoma) • Rodney Slater (Secretary, U.S. Dept. of Transportation)	• Ray C. Anderson (Chairman, President & CEO, Interface, Inc.) • David T. Buzzelli (Director & Senior Consultant, The Dow Chemical Company) • C. Linn Draper, Jr. (Chairman, American Electric Power) • Samuel C. Johnson (Chairman, S.C. Johnson & Son, Inc.) • Kenneth L. Lay (Chairman & CEO, Enron Corporation) • Harry J. Pearce (Vice Chairman, General Motors Corporation) • Steve Percy (Chairman, CEO, BP Amoco, Inc.)	• Jonathan Lash (President, World Resources Institute) • Scott Bernstein (President, Center for Neighborhood Technology) • Dianne Dillon-Ridgley (Executive Director, Women's Environment and Development Organization) • Fred D. Krupp (Executive Director, Environmental Defense Fund) • Michelle Perrault (International Vice President, Sierra Club) • John C. Sawhill (President, The Nature Conservancy) • Theodore Strong (Executive Director, Columbia River Inter-Tribal Fish)

Note: There were some fluctuations with regard to the specific members of the council over time, but this list provides an indication of the interest participation and backgrounds of the council members as well as the membership distribution. The actual number of PCSD members also varied. While it started out as a council of 25, it eventually grew to the size of 35.

Source: President's Council for Sustainable Development, PCSD (n.d.-b)

the council was to have a maximum of 25 members, which was later increased to 35.¹ Appointed by the President, the members of the PCSD had backgrounds in both the public and the private sectors as they “represent industrial, governmental, not-for-profit organizations with experience relating to matters of sustainable development” (Clinton, 1993). Thus, the council was composed of leaders from government and industry, as well as from environmental, labor and civil rights organizations. According to a list that can be accessed on the archived website of the second Clinton administration, eleven of the twenty-five members of the commission were governmental representatives, while another seven each were business representatives and representatives from mostly environmental non-profits (PCSD, n.d.-b). Thus, the majority of PCSD members (44 percent) were government representatives, while 28 percent came from both the business and non-profit sectors (cf. Table 5.1). The environmental leaders that were members of the council represented organizations like the Natural Resources Defense Council, the Sierra Club and the Environmental Defense Fund. The business leaders were executives from large corporations, such as the Georgia-Pacific Corporation, Enron, and Chevron. Table 5.2 includes a detailed list of PCSD members divided by sector.

The leadership of the council was shared by a business leader and a representative of an environmental non-profit. The dual leadership reflects the two main poles in the sustainable development debate. As noted earlier, the initial co-chairs were the World Resource Institute’s Jonathan Lash and Dow Chemical’s David T. Buzzelli. The environmentally aware CEO of Interface, Inc. Ray C. Anderson, later replaced Buzzelli as co-chair of the council. It is noteworthy that Anderson not only authored a book about sustainability in business titled *Mid-Course Correction: Toward a Sustainable Enterprise*, which was published in 1998, but he also

¹ President Clinton amended Executive Order 12852 to increase the size of the PCSD.

Table 6.3: The Work of the President’s Council on Sustainable Development

Phase	Time	Tasks	Task Forces	Reports
1 st	June 1993 – March 1996	“draft recommendations on a national action strategy on sustainable development, create and implement awards programs honoring achievements of sustainable development, and to conduct outreach to educate the American public on the importance of sustainable development” (Tridico, 1999, p. 229)	8 Task forces: Eco-efficiency Energy & Transportation Natural Resources Population & Consumption Public Linkages Dialogue & Education Sustainable Agriculture Sustainable Communities	Sustainable America: A New Consensus for Prosperity, Opportunity, and A Healthy Environment for the Future (March 1996)
2 nd	May 1996 – January 1997	Clinton “asked the Council to continue to promote sustainable development domestically” (Tridico, 1999, p. 232) – implementation of first steps of report, support creation of JCSC, work with VP Gore	3 Task forces: Innovative Local, State, and Regional Task Force New National Opportunities Task Force International Leadership Task Force	Sustainable America: A New Consensus for Prosperity, Opportunity, and A Healthy Environment for the Future (March 1996)
3 rd	April 25, 1997 – February 28, 1999	Clinton “asked for a continued consensus on policy including demonstrated implementation, outreach and constituency building” (Tridico, 1999, p. 233)	4 Task forces: Climate Task Force Environmental Management Task Force International Task Force Metropolitan and Rural Strategies Task Force	Towards a Sustainable America: Advancing Prosperity, Opportunity, and a Healthy Environment for the 21 st Century (May 1999)

transformed his own business and influenced corporate giants like Walmart (Anderson, 1998).

According to a long-time friend, Anderson “was the first to prove that a corporate-wide, systemic commitment to sustainability could increase profitability” (Witkin, 2011). Thus, he seemed a logical choice for PCSD co-chair.

Engaging Stakeholders in Consensus Building

Through the way it conducted its work, the council incorporated various interests and their views on sustainable development as well as reached out to the broader public; thereby seeking broad consensus about objectives while building a constituency in support of sustainable development. The existence and work of the PCSD can be divided into three phases, each being with an executive order that either created or renewed the PCSD and ending with a lengthy report summarizing the council's work during that time and the recommendations it was making based on it. During each period, the President gave the council a specific set of tasks and it created various task forces accordingly. The phases represent changes in emphasis brought about by the President's priorities for the council.

The first phase began when the PCSD was initially created, in June 1993, and ended in March 1996, which coincides with the council's original expiration date, which the President had specified in Executive Order 12852. The council primary focus during that time was to "draft recommendations on a national action strategy on sustainable development, create and implement awards programs honoring achievements of sustainable development, and to conduct outreach to educate the American public on the importance of sustainable development" (Tridico, 1999, p. 229). Eight different task forces worked on these tasks. Each task force addressed separate areas: eco-efficiency, energy and transportation, natural resources, population and consumption, public linkages, dialogue and education, sustainable agriculture, and sustainable communities. This work culminated in the publication of the 188-page report "Sustainable America: A New Consensus for Prosperity, Opportunity, and a Healthy Environment for the Future," which came out in March 1996. A New York Times article that came out that right before the release of the report pointed out that the "adversaries from both

sides,” who are represented on the PCSD, came to a consensus regarding the current rules for curbing pollution. Both sides agree: “While the existing system can be improved, it must not be weakened” (Cushman Jr., 1996). Even though the report “called for [a] comprehensive review of taxes and corporate subsidies,” “urged long-range steps to stabilize the country’s population,” and argued that the United States should lead the world especially with regards to tackling climate change, it “steered clear of detailed prescriptions for new policies, new legislation, or new programs” (Cushman Jr., 1996). Instead, the report provided a broad outline of necessary policy action, noting that “some things must grow – jobs, productivity, wages, capital and savings, profits, information, knowledge and education – and others – pollutions, waste and poverty – must not” for the PCSD to achieve its vision of sustainable development (PCSD, n.d.-e). Interestingly, prior to the report’s release, President Clinton had already adopted the report’s language in his 1996 State of the Union address (Cushman Jr., 1996). For example, Clinton noted:

Do you believe we can expand the economy without hurting the environment? I do. Do you believe we can create more jobs over the long run by cleaning the environment up? I know we can. That should be our commitment. (Clinton, 1996)

Clinton’s conviction about the symbiotic relationship between the economy and the environment led him to extend the life of the council beyond the initial three years that he had created it for.

The second phase, for which President Clinton had “asked the Council to continue to promote sustainable development domestically” (Tridico, 1999, p. 232), lasted from May 1996 to January 1997. He also requested that the council begin implementing some of the recommendations from its first report, although it was very limited in what it could implement. One of the recommendations that the council was able to set in motion was the replication of “its

successful collaborative approach at the local and regional levels” (PCSD 1999a, p. 2).

Furthermore, President Clinton had tasked Vice President Al Gore to work with the PCSD on the implementation of its recommendations (PCSD, 1997a). The council created three task forces during this phase to aid in this process, namely the Innovative Local, State, and Regional Task Force; the New National Opportunities Task Force; and the International Leadership Task Force. During the final month of this phase, the council released its second report entitled “Building on Consensus: A Progress Report on Sustainable America” (PCSD, 1997a). In the report, the council makes three overarching recommendations to the president: 1) To fully integrate sustainable development into the second term agenda of the Clinton administration, 2) to fully participate in the international sustainable development activities in 1997, and 3) to extend the life of the President’s Council on Sustainable Development (PCSD, 1997a). Clinton clearly followed this final recommendation.

The final phase began in April 1997 and ended in February 1999. For this phase, Clinton “asked for a continued consensus on policy including demonstrated implementation, outreach and constituency building” (Tridico, 1999, p. 233). The work was conducted in four task forces—the Climate Task Force; the Environmental Management Task Force; the International Task Force; and the Metropolitan and Rural Strategies Task Force. The council published its final report, “Towards a Sustainable America: Advancing Prosperity, Opportunity, and a Healthy Environment for the 21st Century,” in May 1999. In the report, the PCSD addresses four policy areas that President Clinton had asked the council to consider. These policy areas were climate change, environmental management, metropolitan and rural strategies for sustainable communities, and international leadership. Among other things, the report highlighted the

importance of capacity building, information, partnership, and “making markets work for sustainability” (PCSD, 1999a, p. 19).

In the same month that the council’s final report was released, the PCSD, along with the nonprofit organization Global Environment and Technology Foundation, General Motors Corporation and other groups, sponsored the National Town Meeting for a Sustainable America. The objective of the event, which served as a conclusion of the council’s work, was “to draw Americans together around the theme of sustainable development, to share the wisdom of our best thinkers and the energy of our best doers” (PCSD, 1999a). Thousands of federal, state and local officials, corporate executives, air and water pollution experts, teachers and students attended the 4-day conference. Among the scheduled speakers were Detroit Mayor Dennis Archer, Ford Motor Company Chairman William Clay Ford, Jr., General Motors Vice Chairman Harry Pearce, Dow Chemical Company director David Buzzelli, and EPA Administrator Carol M. Browner, which again illustrates the broad range of interests that the PCSD engaged in its work.

In addition to the three main PCSD reports, many of the council’s task forces also wrote their own reports.² The lengthy reports were made available to the public, but the PCSD also relied upon various other forms of outreach, namely speeches, presentations and papers, special events, and its website to distribute its message (Tridico, 1999, p. 246). Moreover, throughout its existence, the PCSD held meetings both in Washington DC and in cities across the country.³

² *Task Force Reports* from first phase of PCSD: Eco-Efficiency, 1996; Energy and Transportation, 1996; Population and Consumption, 1996; Public Linkage, Dialogue, and Education, February 1997; Sustainable Agriculture, 1996; Sustainable Communities Task Force Report, Fall 1997; Natural Resources, Spring 1999.

³ The following meetings were held since 1996: Washington, DC, February 10th, 1999; Pittsburgh, PA, September 28-29, 1998; Washington, DC, June 4, 1998; Atlanta, GA November, 19-21, 1997; Tulsa, OK September 22-23, 1997; Washington, DC April 29, 1997; Washington, DC December 11, 1996; Washington, DC October 16, 1996 [thirteenth meeting; to discuss the progress of activities underway to implement recommendations contained in its report (Federal Register Vol. 61, no. 227 - Office of the Federal Register, National Archives and Records

These meetings brought together a wide variety of stakeholders, including representatives from local and state governments, businesses and environmental groups, as well as the public. Among these meetings were workshops examining a variety of topics, such as an eco-industrial park (October 17-18, 1996), extended product responsibility (October 21-22, 1996), and lessons learned from collaborative approaches (April 1997).

In all of its work and publications, the PCSD emphasized the importance of consensus. In fact, consensus building seems to be the key defining characteristic and goal of the council's work. Not only did the co-chairs bring together various opposing interests in the membership of the council, they then extended the consensus building effort beyond the council itself by inviting additional interest representatives to workshops, the national town hall meeting, and various other events. It is particularly interesting that the PCSD was successful in bringing business interests into the conversation. This strategy seemed promising for building broad interest support for the principles of sustainable development. The critical question, however, is whether these consensus building efforts could reach beyond the immediate work of the council and impact the policy debate at large.

The PCSD within the Executive Branch

During the time that the PCSD was in existence, various other elements within the executive branch were addressing similar and potentially overlapping questions. For example, the U.S. Department of Energy's Center of Excellence for Sustainable Development, the Interagency Working Group on Sustainable Communities, and the Interagency Working Group on Sustainable Development all dealt with sustainable development. However, instead of

Administration: <https://www.gpo.gov/fdsys/granule/FR-1996-11-22/96-29873/mods.xml>]]; Pittsburgh & DC, 1998: <https://web.archive.org/web/19981202203527/http://www1.whitehouse.gov/PCSD/cm.html>

discussing all of the components within the executive branch that concerned themselves with sustainable development in some way, I focus on the interagency working groups that were created after the council published its initial recommendations in its first report titled *Sustainable America: A New Consensus for Prosperity, Opportunity, and A Healthy Environment for the Future*, which came out in March 1996.

Since sustainable development cross-cuts many sectors and policy areas, it only makes sense that the executive branch tried to incorporate consideration of the idea into its policymaking and processes via interagency working groups. These working groups bring together representatives from various federal agencies. Several of these executive branch interagency working groups were established to implement the council's initial recommendations and thereby support the work of the PCDS. I focus on the three most relevant ones, which were the Interagency Working Group on Sustainable Development, the Interagency Working Group on Sustainable Communities, and the Interagency Working Group on Sustainable Development Indicators.

First, Vice President Gore established the Interagency Working Group on Sustainable Development in the spring of 1996 directly following the publication of the first PCSD report to inventory existing sustainable development programs in the executive branch. President Clinton had asked his Vice President to oversee the implementation of the council's report within the federal government, which is why Gore requested the creation of this working group. The Interagency Working Group on Sustainable Development, which has also been referred to as the McGinty-Tyson working group, was co-chaired by Katie McGinty, the Chair of the Council on Environmental Quality, and Laura Tyson, the Chair of the National Economic Council. All federal agencies with a domestic focus were represented in the working group. Its task was to

survey all federal programs and activities that promote the PCSD's initial recommendations (PCSD, 1999a, p. 3). As the PCSD noted in its progress report, the results of the working group's activities illustrate that "numerous sustainable development efforts [were] already underway across [the Clinton] Administration" (PCSD, 1997a). However, it is unclear how the information gathered by the working group impacted the further implementation efforts.

Second, the Interagency Working Group on Sustainable Development Indicators (SDI) was tasked with developing a set of indicators to measure progress towards sustainable development. This working group is particularly interesting given that the German Council for Sustainable Development with the support of the federal government has successfully created a comprehensive and durable sustainability code that includes twenty sustainability criteria. The American working group, however, was less successful. Created in 1996, the working group reports to the White House Council on Environmental Quality. Twelve federal agencies and departments were involved in its work, which focused on four tasks: 1) Developing "a framework to identify, organize, and integrate national sustainable development indicators," 2) developing an information system to provide access to data about the indicators, 3) releasing progress reports, and recommending "an organizational strategy in which all levels of government, non-government organizations, and 4) industry can collaborate on the long term evolution of sustainable development indicators (NASA, n.d.). Relatively soon after the working group was established, it proposed the 1997 Sustainable Development Indicators (The U.S. Interagency Working Group on Sustainable Development Indicators, 1998). The list of 32 indicators included the U.S. crime rate, income distribution, energy consumption, and the Greenhouse Climate Response Index (Sustainable Development Indicator (SDI) Group, 1996). After it published a draft list of the indicators, the working group asked for comments from high

school students, corporate executives, non-governmental organizations, and the public at large (Sustainable Development Indicator (SDI) Group, 1996). It is unclear what happened to the indicators following this comment phase, but given the shift in political power following the 2000 presidential election, it is reasonable to assume that the process of establishing the sustainable development indicators dissipated. The difference between the German Sustainability Code and the proposed U.S. Sustainable Development Indicators is that the former can be applied by individual entities, like corporations and universities, while the latter is meant as a set of national indicators that the federal government tracks.

Finally, the Interagency Working Group on Sustainable Communities was charged with building a bridge to local communities to promote sustainable development at the local level. The working group, which was established in 1997, was co-chaired by the White House Council on Environmental Quality and the Community Empowerment Board in the Office of the Vice President. Among other things, it prepared a strategy report for the Vice President that included “information, data, and tools for communities interested in implementing smart growth initiatives” (PCSD, 1998b). Overall, it “laid the policy groundwork for the livable communities agenda⁴ VP Gore announced on January 11, 1999” (PCSD, 1999a, p. 3). The livability goals that at the center of the agenda were to preserve green spaces, to ease traffic congestion, to restore a sense of community, to promote collaboration, and to enhance economic competitiveness. The administration sought to help state and local governments to accomplish these goals. Again, given the shift in political power in 2000, the programs that came out of the agenda were relatively short-lived as President Clinton left the White House two years later and was succeeded by President George W. Bush, who had very different priorities.

⁴ More information: Clinton White House (n.d.).

In summary, the impact that these interagency working groups had on implementing the PCSD's recommendations was rather limited. The Interagency Working Group on Sustainable Development simply took a stock of the existing programs within the executive branch that promoted sustainable development. Then, the Interagency Working Group on Sustainable Development Indicators published a draft list of national sustainable development indicators, but the process ultimately dissipated. And the Interagency Working Group on Sustainable Communities sought to facilitate the adoption of sustainable principles at the local level. The change in political power in the executive branch following the 2000 presidential election directly affected the work of these groups and limited their time to incorporate the PCSD's recommendations. Thus, despite the creation of several interagency working groups, which were meant to facilitate the implementation of the PCSD's recommendations, the effort fell short.

The PCSD and Organizations at the Regional and Local Level

Several organizations at the regional and local level were created as a direct consequence of the early work of the PCSD. Following the publication of the first PCSD report, *Sustainable America* (1996), one of the first steps the council took to implement its recommendations, which President Clinton had requested, was to “replicate its successful collaborative approach at the local and regional levels” (PCSD, 1999a, p. 2). Specifically, the council partnered with the U.S. Conference of Mayors and the National Association of Counties to establish the Joint Center for Sustainable Communities (JCSC). Similarly, following the report's recommendation to create regional sustainable development councils, individual PCSD members led the effort to form such regional councils, notably the Pacific Northwest Council for Sustainable Development as well as the Bay Area Alliance for Sustainable Development. Since these organizations were created as

direct consequence of the PCSD's recommendations, their level of success allows us to assess the impact of the PCSD. Following, I first discuss the Joint Center for Sustainable Communities. Then I take a closer look at the two regional organizations—the Pacific Northwest Council for Sustainable development and the Bay Area Alliance for Sustainable Development. Finally, I draw some conclusions about the impact of the PCSD on the regional and local levels.

The Joint Center for Sustainable Communities was founded through a partnership between the federal government and organizations representing local government that the work of the PCSD initiated. The PCSD, which predated the JCSC by several years, provided not only the intellectual foundation for the center's establishment but also the initial spark. As then Seattle Mayor Norm Rice noted in an interview for the *Joint Center Report* in 1997, leaders of the National Association of Counties (NACo) and the U.S. Conference of Mayors (USCM) met with PCSD co-chair Jonathan Lash after the publication of the initial PCSD report, which had recommended “greater multi-jurisdictional partnerships as the way for communities to pursue” sustainable development (Joint Center for Sustainable Communities, 1997). Following the publication of the PCSD report and the meeting with the PCSD co-chair, the NACo and the USCM created the JCSC to “promote the development of sustainable communities and to encourage the adoption of recommendations made in [the PCSD report] ‘Sustainable America’ on such issues as brownfields redevelopment, job training, decreasing urban sprawl, extended product responsibility by the private sector, and natural resource protection” (Joint Center for Sustainable Communities, 2001). Thus, the JCSC provided “a framework for city and county efforts to improve upon and implement the PCSD's recommendations.” (Joint Center for Sustainable Communities, 2001). It should also be noted that though the center was an institution with a local focus, it was funded by five federal agencies, namely the U.S. Department of

Transportation, the Department of Agriculture, the Department of Commerce, the Department of Energy, the Environmental Protection Agency, and the Department of Housing and Urban Development. The close relationship between the JCSC and the federal government, particularly the PCSD, was further reinforced by the fact that President Clinton publicly announced his support for the JCSC in March 1996 before the center was even officially established. Ultimately, the JCSC outlived the PCSD by several years, as the former lasted until 2005⁵, while the latter ceased to exist in 1999. Consequently, the PCSD's support for the JCSC was limited to the time that the two institutions coexisted.

The goal of the JCSC was “to promote the leadership of mayors, county commissioners, and their staff in pursuing sustainable development locally” (PCSD, n.d.-c). Consequently, it was an organization that was meant to help the idea of sustainable development capture local policymaking. According to its archived website, the JCSC's “primary mission is to provide a forum for cities and counties to work together to develop long-term policies and programs that will lead to job growth, environmental stewardship and social equity” (Joint Center for Sustainable Communities, 2001). As this description indicates, the center builds upon the three pillars of sustainable development, namely the economic, the social, and the environmental pillar. The JCSC sought to accomplish its goals by “promoting community leadership initiatives, providing technical assistance and training, and conducting community policy and educational forums,” in addition to “providing technical assistance, training, sustainable development literature and materials, and funding toward community visioning” (Joint Center for Sustainable Communities, 2001). It is unclear how successful the center was in accomplishing these goals since it is difficult to find further literature describing the center's

⁵ The JCSC website went offline or rather started saying that the center does not exist anymore sometime between being captured by archive.org on March 6th and April 3rd, 2005.

work. But the fact that the center ceased to exist in 2005 gives some indication of its durability.

The PCSD did not only play a critical role in the creation of the JCSC; in addition, PCSD members also initiated regional organizations to promote sustainable development. The two most prominent examples of this are the Pacific Northwest Council for Sustainable Development (PNCSD) and the Bay Area Alliance for Sustainable Development (BAASD). The *Sustainable America* report explicitly encouraged the creation of such regional organizations to help implement the PCSD's recommendations at the regional level. And instead of waiting for such organizations to be created independently, individual PCSD members from the same region joined together to establish such regional organizations themselves.

A subset of PCSD members from the Pacific Northwest, for example, initiated the Pacific Northwest Council for Sustainable Development (PNCSD), which brought together more than two dozen regional leaders. Its goal was to develop a sustainable development-based vision for the region and to build a coalition to support the implementation of this vision. This, however, was a challenging task as Maurer (1999) notes, the PNCSD struggled because of its uncertain funding situation. In contrast to the JCSC, it could not count on continuous financial support from the federal level, instead it had to fundraise independently. Ultimately, it was meant to serve as a "pilot regional council as a successful example of what could be adopted by other regions across the United States" (PCSD, 1997a, p. 12). The second PCSD report describes the work of the PNCSD in greater detail and noted that the national council continued to assist the regional council in its work.

The Bay Area Alliance for Sustainable Development is another example of a regional organization initiated by PCSD members to implement the council's recommendations at the regional level. Led by several PCSD members and other leaders in the region, the alliance was

“a multi-stakeholder coalition established in 1997 to develop and implement an action plan that will lead to a more sustainable region” (Bay Area Alliance for Sustainable Communities, 2007).

A broad range of organizations, including Bank of America, the Sierra Club and the U.S. Environmental Protection Agency, funded it (Bay Area Alliance for Sustainable Communities, 2007). The diverse interests brought together through the alliance sought to identify common objectives that were then captured in a *Compact for a Sustainable Bay Area*. The alliance concluded its work in 2008 as the implementation of parts of its compact was underway (Bay Area Alliance for Sustainable Communities, 2007).

All of these organizations were created to help implement the PCSD’s recommendations. However, their impact remains limited. Neither the Joint Center for Sustainable Communities nor the Pacific Northwest Council for Sustainable Development and the Bay Area Alliance for Sustainable Development are still in existence. And even though the two regional councils were meant to be pilot projects that could serve as examples to other regions in the country, no other regional councils were created. Thus, the impact of the PCSD’s work at the regional and local level was ultimately limited, but not for lack of trying.

Pushback from Congress

As part of the institutional context within which the PCSD conducted its work, the role of the U.S. Congress is paramount. In the American political system with its checks and balances, Congress is an additional institutional hurdle that an idea must overcome even if the president supports it. During his first two years in office, President Clinton’s party had a majority in both houses of Congress, but the 1994 mid-term election brought a sweeping change. In what became known as the “Republican Revolution,” the Republicans gained 54 seats in the House of

Table 6.4: Majorities in both houses of Congress

Congress	Years	Senate	House
103 rd	1993-1995	Democrats	Democrats
104 th	1995-1997	Republicans	Republicans
105 th	1997-1999	Republicans	Republicans
106 th	1999-2001	Republicans	Republicans

Representatives and 8 in the Senate, thereby gaining control of both houses of Congress. For the remainder of both President Clinton’s time in office and the existence of the PCSD, the Republican Party controlled both houses of Congress making it more difficult for the President to move his ideas forward through the legislative process. As Molly Harriss Olson notes, “the outlook for the environment [and with it sustainable development] has dimmed since the [1994] election by a US Congress bent on making deep cuts in the environmental and social programs” (1996, p. 63). Thus, it became more challenging for the idea of sustainable development to gain traction in Congress following this shift in partisan power and to move past this institutional hurdle.

Environmental & Sustainable Development Legislation

The Clinton administration came into office with an environmental agenda pushed in particular by Vice President Al Gore. President Clinton himself was supportive, but the policy concerns of the environmental community “were far from his highest priority” (Klyza & Souse, 2013, p. 47). This may explain why he did not push harder for environmental and sustainable development legislation in the first two years of his presidency, when Democrats were still in power in Congress. At least partly due to Clinton’s lack of pressure on Congress, “the 103rd Congress was unproductive on environmental issues” (Klyza & Souse, 2013, p. 47). Once the 104th Congress convened, the administration found itself in an adversarial position with

Table 6.5: “Sustainable Development” Legislative Activity by Congress & Policy Area
(in percent)

	103rd Congress	104th Congress	105th Congress	106th Congress	Total
International Affairs	25.0	20.0	21.3	33.8	100
Public Lands & Natural Resources	8.8	14.7	26.5	50.0	100
Economics & Public Finance	3.3	26.7	33.3	36.7	100
Environmental Protection	79.2	12.5	4.2	4.2	100
Foreign Trade & International Finance	54.2	12.5	16.7	16.7	100
Government Operations & Politics	11.1	11.1	66.7	11.1	100
Science, Technology, Communications	75.0	12.5	0.0	12.5	100
Armed Forces & National Security	28.6	14.3	0.0	57.1	100
Transportation & Public Works	0.0	14.3	57.1	0.0	100
Agriculture & Food	33.3	66.7	0.0	0.0	100
Native Americans	0.0	0.0	16.7	83.3	100

Source: Congress.gov

Congress. Republicans, who had taken control of Congress, “aggressively pressed forward with an antiregulatory agenda that environmentalists saw as threatening to dismantle a whole generation of rules that not only preserved open spaces and wilderness areas, but also put protection of the public’s health and safety above other considerations” (Cushman Jr. & Egan, 1996). Thus, after 1994, the Clinton administration was facing a Congress that “was generally hostile to green causes,” which severely limited the possibilities for passing environmental as well as sustainable development legislation (Cushman Jr. & Egan, 1996).

With regards to sustainable development legislation specifically, a search of the online congressional archive reveals that Congress did not pass any substantial sustainable development legislation during the Clinton presidency. During the eight years of the Clinton presidency, members of Congress introduced a total of 254 bills, resolutions, and amendments⁶ related to sustainable development. Of these, only 35 or about 14 percent eventually became law, none of which constituted comprehensive sustainable development legislation. Not one of the bills that became law mentioned sustainable development in its title. In fact, less than 0.5 percent of the introduced sustainable development legislation referred to the concept in its title. Interestingly, a shift in the topical focus of the introduced sustainable development legislation occurred following the Republican Revolution in 1994—away from environmental protection, foreign trade and international finance and towards public lands, natural resources, economics, and public finance (cf. Table 5.5). While the lack of sustainable development legislation is not surprising following the 1994 election, the President also did not spend much of his political capital to push environmental or sustainable development legislation in Congress during the first two years of his presidency, when he faced a Congress controlled by Democrats. This is not surprising given his ambitious policy agenda, which included deficit reduction, health care reform, and a middle-class tax cut, among other priorities (Pfiffner, 1996).

⁶ 71 in the 103rd, 46 in the 104th, 59 in the 105th, and 78 in the 106th Congress. When considering these statistics, it is important to keep in mind that this is an imperfect measure. Much of this legislative activity addresses sustainable development only tangentially and it is unclear whether the individual bills, resolutions, and amendments were written in support or in opposition to sustainable development.

Response to the PCSD

In a few instances, Congress directly addressed the President’s Council on Sustainable Development.⁷ It is worthwhile taking a closer look at the instances when the congressional record mentions the PCSD to get a better sense of Congress’ view of the council. There are six entries in the category “legislation” which mentioned the PCSD—all of them were legislative activities in the House of Representatives and all but one were discussed in the 106th Congress (1999-2000). The most striking finding is that the only two bills mentioning the PCSD that became law limited the funding for the council. These two instances were H.R. 3194, the “Consolidated Appropriations Act, 2000,” which became public law number 106-113, and H.R. 4578, the “Department of the Interior and Related Agencies Appropriations Act, 2001,” which became public law number 106-291. Both laws stated: “Notwithstanding any other provision of law, none of the funds in this Act may be used for [...] the President’s Council on Sustainable Development.” Thereby, Congress undercut the work of the PCSD and its effectiveness. Another two of the four remaining legislative activities were related to H.R. 3194 and included the same language. Thus, four out six legislative entries referencing the PCSD mentioned it in the context of limiting its funding, which clearly indicates that Congress did not support the council and its work.

The remaining two entries were both referring to a resolution addressing population growth introduced by Representative Tom Sawyer (D-OH14) into two subsequent Congresses. With it, Sawyer sought to “express the sense of the Congress that the United States should develop, promote, and implement voluntary policies to slow the population growth of the Nation.” Neither of these two resolutions made it out of the subcommittee it was referred to.

⁷ To find these instances, I searched for the keywords “President’s Council for Sustainable Development” in the congressional archive.

These last two resolutions are particularly interesting because they reference an argument that was already made unsuccessfully during the 1980s. As I discussed in chapter 3 about *The Global 2000 Report*, the so-called population stabilization argument triggered substantial pushback from conservative thinkers like Julian Simon during that time.

In addition to these pieces of legislation, nine congressional reports and seventeen congressional records referred to the PCSD. A vast majority of the congressional reports made an identical point to that of the majority of proposed bills that mentioned the council, namely that none of the funding they were discussing should go to the PCSD. Again, the fact that Congress almost exclusively focused on limiting the funding for the PCSD made clear that the legislative branch did not support the council, thereby limiting its resources and effectiveness.

In Summary

It becomes evident that the divided government that existed during the majority of Clinton's tenure as well as the tenure of the PCSD played a significant role in limiting the feasibility of establishing a coherent and lasting sustainable development policy regime during the 1990s. As Dernbach notes, "the congressional effort to foster sustainable development during this period was [...] meager," he further elaborates, "there appears to have been little if any strategic thinking within the U.S. Congress as a whole about how the United States can and should chart and sail a course for sustainable development" (2002a, p. 10648). Because of its opposition, "the Clinton-Gore Administration bypassed Congress [...] championed the concept of sustainable development [itself], putting substantial effort into integrating it into federal-level policy and programs [...] between 1993 and 2000" (Chifos, 2007, p. 435). But of course the lack of congressional support for the work of the PCSD and the creation of a sustainable development

policy regime limited the success potential of both, despite the efforts of the executive branch.

Addressing the relationship between the PCSD and Congress, Maurer notes:

The PCSD's impact was [...] limited because it did not engage Congressional leaders in its more recent work. Understandably, the degree of antagonism that has characterized relations between the executive and the legislative branch create powerful incentives against such an effort. [...] The PCSD previously avoided entangling itself in any partisan frays between these two branches and its work benefited as a result. Ultimately, however, implementation of many of the PCSD's recommendations and ideas cannot move forward without the interest or support of Congress. (Maurer, 1999, pp. 9-10)

To create a strong and durable sustainable development policy regime, congressional support would have been necessary. Such support could have come in the form of sustainable development legislation aiding in the implementation of the council's recommendations. Legislators could have also established a coordinating entity or mechanism for a national sustainable development strategy in Congress, in addition to the PCSD (Dernbach, 2002a, p. 10649). However, neither one happened.

The Impact of the PCSD

How we answer the question of whether or not the PCSD succeeded depends on the expectations we have for what would make it a success. In this case, the success is defined by whether or not it strengthened the institutional foundation for a national sustainable development policy regime and whether it led to the adoption of a strong national sustainable development strategy. Thus, the critical questions to ask are: Given the internal structure and work of the PCSD as well as its place within the broader institutional context, how effective was the council in pushing for a national sustainable development policy regime? Did the PCSD, along with the other institutions it worked with, constitute a strong institutional network to underpin a durable

sustainable development policy regime? And did the work of the PCSD lead to or help establish a national sustainable development strategy?

While the establishment of a national sustainability strategy was one of the goals of the PCSD, it clearly fell short of accomplishing that objective. In 1997, when the world's nations met to follow up on the 1992 Earth Summit, they agreed to put in place national sustainable development strategies by 2002. President Clinton created the PCSD in part to accomplish that goal and as Law Professor John C. Dernbach notes, “the President’s Council on Sustainable Development provided the basis for [a national sustainable development] strategy through a rich variety of policy recommendations” (2002b, p. 70). However, Dernbach argues, the question of whether the work of the PCSD led to the establishment of a national sustainable development strategy—either during its existence or thereafter—clearly has to be negated (Dernbach, 2002b, p. 100). At least in part, he points out, this was due to a lack of leadership within the executive branch, as “relatively little effort was made to implement” the PCSD’s recommendations (Dernbach, 2002b, p. 70). Dernbach summarizes his reasoning for why the PCSD was unsuccessful as follows:

While the PCSD’s recommendations could provide the objectives of a national strategy, sustainable development is not actively supported by the nation’s leaders, there is no strategic thinking or action on behalf of the federal government, there is no governmental coordinating or implementing mechanism for a strategy, and there is little public education. (Dernbach, 2002b, p. 100)

This assessment provides a clear and sharp contrast to the German institutional structure that was created following the 1992 Earth summit to establish a national sustainable development strategy, which I discuss in the following chapter. Thus, while the PCSD was the most likely institutional player in the U.S. to propose a national sustainable development strategy, various

factors, such as its lack of implementation powers, the opposition it faced from Congress, as well as its only temporary existence combined with the change in political power in the White House in 2000, prevented the establishment of an overarching, long-term national sustainable development strategy.

As noted, one of the reasons that the PCSD failed to establish a national sustainability strategy was its temporary nature. President Clinton had created the council for a set time period via executive order. As a consequence, it was not a permanent part of government and had an expiration date from the start. Therefore, its institutional strength and clout was limited from its inception. At the end of its tenure, “the council recommended to the President that he support the continuation of a sustainable development council or similar body as a forum for consideration of sustainable development issues by leaders in all sectors” (Earth Council, 2000, p. 105). However, no permanent National Council for Sustainable Development was created in the United States at least in part due to the lack of support from Congress and the change in political power in the White House. Thereby the impact of the PCSD on policymaking was limited, particularly beyond the Clinton administration.

Furthermore, the lack of implementation powers in conjunction with congressional opposition prevented the council’s rhetoric to have any policy impact. The limited powers that Clinton granted the council undermined its effectiveness. At its core, the PCSD was an advisory body making recommendations to the president without significant implementation powers. Again, the opposition of the Republican Congress following the 1994 mid-term election played a role here as well. Ultimately, despite the PCSD’s comprehensive reports, there was a “rhetoric trap” and because of that the council became another example of the problem “that rhetoric about the environment is far easier to produce than action” (Tridico, 1999, pp. 233-234). This again

underscores the lack of support from national political leaders that Dernach pointed to in his assessment of the PCSD. Due to the council's lack of implementation powers, active and substantial support from national political leaders would have been necessary for any of the council's recommendations to be implemented. Consequently, a lot of the criticism of the PCSD focused on the nature of the council as an advisory body. For example, in his cynical discussion of advisory boards and their impact on policy-making Washington Post staff writer Peter Carlson notes: "In Washington, the solution to almost every problem is to convene a commission. The solution to the problems left over is to convene an advisory board, a task force, a council or a blue-ribbon panel" (Carlson, 1997). Carlson underscores this assessment with a quote from the famous Pentagon whistle-blower A. Ernest Fitzgerald who said that "blue-ribbon commissions [...] are designed not to solve problems, but to buy time" (1997). Another example of such criticism is New York Times journalist John H. Cushman Jr.'s 1996 article assessing the PCSD's first report. Cushman Jr. noted that "the report binds no one." Beyond that, he argued, "the recommendations are often vaguely couched" and the report "steered clear of detailed prescriptions for new policies, new legislation, or new programs" (Cushman Jr., 1996). Based on this assessment, the PCSD's potential impact was substantially limited from the day it was created.

The lack of support from national political leaders, which prevented the implementation of the PCSD's recommendations, is likely due to "overarching conflicts in worldviews" between an expansionist worldview advocating for economic growth and an ecological worldview stressing the need for limits to growth (Chifos, 2007, p. 444). Professor of Urban Planning Carla Chifos notes that "the conflicts between these two dominant beliefs translate into the political, organizational, and behavioral roadblocks to sustainability at the federal level"—the most

significant roadblock being the U.S. Congress (2007, p. 444). Of course this argument is particularly interesting given the Clinton administration's attempt to reframe the policy debate along the lines of a symbiotic relationship between the economy and the environment.

Ultimately, the fact that the PCSD did not have a substantial impact on policymaking means that President Clinton failed in his attempt to reframe the policy debate. The dedicated environmentalist and then Secretary of the Interior Bruce Babbitt reinforced the significant role that polarization plays in U.S. policymaking by noting:

The adversarial approach to legislation is what [Washington D.C.] is all about. It is a town full of lobbyists and lawyers on all sides, who are obsessively inward-looking, who do not have a feel for how these issues work on the ground. The question for post-'96 is, are we fated to repeat this endless cycle, or do we have an opportunity to find, and build and cement a consensus that will hold? (cf. Cushman Jr. & Egan, 1996)

According to a 1996 New York Times article, President Clinton's chair of the White House Council on Environmental Quality Katie McGinty believed that her boss "will go down in history for having put in place a new generation of environmentalism, based on cooperation not confrontation" (Cushman Jr. & Egan, 1996). However, the consensus that the PCSD was able to build between interests from traditionally opposing camps, which were represented in the membership of the council, did not reach beyond the institution itself. And as the former head of the EPA under Presidents Nixon and Reagan William Ruckelshaus points out, "windows of rationality, where we experience a calmer atmosphere more conducive to constructive change, open infrequently, and usually only for a short period of time" (as quoted in Cushman Jr. & Egan, 1996).

Contextual Factors

Beyond the ideational foundation, the institutional design, and the alignment of interests, a variety of contextual factors that had the potential to impact the trajectory of sustainable development during the Clinton administration. In particular, these factors include the existence of external shocks, such as natural disasters, the state of the economy, public opinion towards the environment, and ideological predispositions. In what follows, I take a closer look at each of these factors to determine the degree to which they influenced the sustainable development trajectory.

External Shocks

Numerous natural disasters hit the United States during President Clinton's tenure. Among them were wildfires, droughts, heat waves, earthquakes, storms, and floods. The two worst wildfires, which happened in Colorado in 1994 and in several different states in 2000, caused 27 fatalities in total. In 1999 and 2000, droughts in multiple states took their toll. Summer heat waves in 1995, 1998, and 1999 together claimed over 1,000 lives. A 6.7-magnitude earthquake in the Los Angeles area led to 60 casualties. The worst flood during the Clinton presidency, which affected ten mostly Midwestern states in 1993, alone caused 48 deaths and there were numerous others. The so-called "Storm of the Century" in March 1993 killed 270 people along the Atlantic coast (Armstrong, 2016). And the "Blizzard of 1996" claimed 130 lives (Janofsky, 1996; Centre for Research on the Epidemiology of Disasters, 2009). Yet, while the 1990s were marked by a large amount of natural disasters, their occurrence did not impact the sustainable development policy debate in any meaningful way.

State of the Economy

During the 1990s, the U.S. economy was generally strong as several key economic indicators suggest. In his article tellingly entitled “The Best Decade Ever? The 1990s, Obviously,” New York Times reporter Kurt Andersen summarizes the state of the economy during that decade as follows:

America at large was prospering in the '90s. The United States economy grew by an average of 4 percent per year between 1992 and 1999 [...]. An average of 1.7 million jobs a year were added to the American work force [...]. The unemployment rate dropped from nearly 8 percent in 1992 to 4 percent [...] at the end of the decade. [...] From 1990 to 1999, the median American household income grew by 10 percent [...]. The poverty rate peaked at over 15 percent in 1993, then fell to nearly 11 percent in 2000. (Andersen, 2015)

Furthermore, according to U.S. Census data, the annual rate of new single-family houses sold in the U.S. increased firmly during the 1990s as did the home ownership rate overall (Trading Economics, 2017c, 2017d). Consumer confidence also increased throughout the 1990s—reaching its historical all-time high in January 2000 (Trading Economics, 2017b). Consumer spending underscores this assessment, as it rose from \$5817 billion in January 1992 to \$8284 billion in December 2000 (Trading Economics, 2017e). As all of these economic indicators suggest, the U.S. economy was soaring during the 1990s. NPR even noted, “the economic expansion of the 1990s was the longest in recorded American history” (Berliner, 2012).

Considering the economic prosperity of the 1990s, we would assume that it provided an ideal setting for the establishment of a sustainable development policy regime, as a positive economic climate generally means there is less pressure for environmental policy to take a backseat to fixing economic problems. However, despite the fact that the U.S. economy was strong and robust during the reign of the Clinton administration, the president was unable to establish a

lasting sustainable development policy regime and Congress failed to address sustainable development and environmental issues.

Public Opinion

Given the robust state of the economy during the 1990s, it is not surprising that public opinion during that time was overwhelmingly supportive of environmental issues. Among the various public opinion polls that have measured the support for the environment over time, Gallup offers particularly rich historical data showing that throughout the Clinton presidency support for the environment and environmental issues was rather strong (Gallup, 2017). For example, a healthy majority of Americans said that the “protection of the environment should be given priority” over economic growth (Gallup, 2017).⁸ In conjunction with that, most thought that the government has not been doing enough to protect the environment (Gallup, 2017).⁹ Furthermore, a majority of Americans considered themselves to be “environmentalists” during the 1990s. And it is noteworthy that at the time, most Americans either believed that the seriousness of global warming was “generally correct” or that it was “generally underestimated” (Gallup, 2017).¹⁰ When it comes to specific environmental problems, most Americans worried about a broad variety of them either “a great deal” or “a fair amount.” As Table 5.6 shows, a substantial majority of Americans worries about each of these environmental problems, including the pollution (of rivers, lakes, reservoirs, air, water, ocean and beaches), “damage to the earth’s ozone layer,” and contamination (of soil and water by toxic waste and radioactivity

⁸ The majority ranged from 58 to 70 percent (Gallup, 2017).

⁹ In 1992, 68 percent of Americans thought the U.S. government is doing too little to protect the environment and in 2000, 58 percent of Americans thought so.

¹⁰ 1998: 34 percent thought the seriousness of global warming was “generally correct” and 27 percent thought it was “generally underestimated,” leaving only 31 percent who thought it was “generally exaggerated.”

from nuclear facilities), among others. The numbers also remained steady for related questions, such as whether the environmental movement has done more good or more harm. About three quarters of Americans believed the former both at the beginning and at the end of the Clinton presidency. Furthermore, in 1995, most Americans were convinced that “life on earth will continue without major environmental disruptions only if we take additional, immediate, and drastic action concerning the environment” or “some additional actions” (35% and 48% respectively; Gallup, 2017). Overall, the extensive statistics that Gallup has gathered show a substantial amount of public support for environmental issues thereby eliminating a lack of public support for environmental action as a reason for the PCSD’s failure to establish a robust sustainable development policy regime during the 1990s.

Ideology

The extensive discussion of the work and accomplishments of the President’s Council on Sustainable Development including its interactions with other institutions, particularly Congress, illustrates that ideology plays a key role in explaining the sustainable development policy debate among the political elites during the Clinton presidency. The 1994 mid-term elections, strengthened the position of those supporting neoliberal tenets like deregulation and privatization. This shift in the political power balance constrained the opportunities of President Clinton and the PCSD to move sustainable development policymaking forward as they faced an emboldened opposition that was at the other end of the ideological spectrum.

In Summary

Apart from ideology, all of the contextual factors discussed above should have aided the establishment of a sustainable development policy regime in the 1990s. There were numerous natural disasters that could have spurred the policy debate in favor of sustainable development. Furthermore, throughout the 1990s, the economy was robust as a broad variety of economic indicators reveal. Along with both of these factors, the substantial public support for environmental issues should have provided an ideal context for the President's Council on Sustainable Development to succeed in its mission and beyond. It was the ideological perspectives of the political elites, particularly in Congress, that blocked any attempt of sustainable development policymaking.

Conclusions

The creation of the President's Council on Sustainable Development was President Clinton's attempt to establish an institutional structure at the national level that could serve as a keystone for a sustainable development policy regime. Throughout its existence from 1993 to 1999, the council articulated specific recommendations to advance the principles of sustainable development. However, these policy recommendations and with them the overarching idea underlying them failed to gain the amount of traction that would have been necessary for establishing a viable sustainable development policy regime. But why did the ideas that the PCSD articulated not gain more traction? There are multiple reasons that help explain why this was the case.

President Clinton's strong efforts to create an institutional structure around sustainable development and the PCSD's attempt to build consensus among a broad variety of interests were

undermined by the resistance to the idea in Congress. Thus, the executive branch's effort to establish a basis for a coherent sustainable development policy regime was constrained by divided government, i.e. the veto point Congress. In addition to the partisan pushback following the 1994 mid-term elections and the Republican Revolution that they brought, Clinton also did not use his political capital to promote sustainable development legislation in Congress during the first two years of his presidency when Democrats held majorities in both the House of Representatives and the Senate. This was likely due to the fact that Clinton had an ambitious policy agenda on which sustainable development was ranked lower than deficit reduction, health care reform, and a number of other legislative priorities. Given the lack of pressure from Clinton, it is not surprising that congressional Democrats did not make a serious effort to advance sustainable development policymaking themselves in 1993 and 1994. Then, the results of the 1994 mid-term election shifted the political power in Congress to Republicans, which strengthened the partisan opposition to sustainable development. Following this historic election, President Clinton faced an adversarial Congress for the remainder of his time in office. Republicans in Congress opposed comprehensive sustainable development legislation and sought to defund the PCSD, thereby undermining it and its work as well as the possibility of establishing a viable sustainable development policy regime.

In addition, even though the PCSD was an innovative institutional structure that aimed at transcending traditional partisan divisions through a consensus building effort that engaged oppositional interests, it proved insufficient to overcome the partisan opposition to the basic idea. Thus, while the PCSD made a valiant effort to mold interests in support of sustainable development, the consensus that the council could build between the opposing interests did not reach very far beyond its own boundaries. Consequently, the work of the council was insufficient

to reshape the existing interest alignments on a broad scale. Thus, while the PCSD had the ability to help build the necessary support and further energy behind a sustainable development policy regime, its ability to serve as a keystone for such a regime was limited. Adding on to the council's inability to forge a broad, national consensus were its own limitations. Not only was the PCSD an institutional structure with an expiration date, but it also lacked the implementation powers to carry out its policy recommendations.

Most of the contextual factors should have enabled the council and President Clinton to establish a viable sustainable development policy regime, but they did not make a significant difference in the outcome. Numerous natural disasters should have strengthened the case for decisive action. The robust state of the economy should have emboldened policymakers and allowed them to address environmental and social issues without worrying about a fragile economy. Public opinion was generally supportive of environmental issues, which also should have given policymakers tailwind. Only ideology had a clear impact on the trajectory of sustainable development during the Clinton years. Once Republicans gained control of Congress, they pushed their anti-regulatory ideology that is rooted in the neoliberal policy paradigm, which directly contradicts sustainable development policymaking.

Despite its inability to act as a keystone for a sustainable development policy regime, the creation and existence of the PCSD represents a key juncture in the trajectory of sustainable development in the United States that is instructive. As the council struggled to leave a mark on policymaking, its work illustrates the challenge of establishing an institutional design that can channel attention, information, and relationships in support of sustainable development. Thus, examining this juncture helps us to understand this challenge and to assess the likelihood of it being overcome.

CHAPTER 7

Least Common Denominator:

German Sustainable Development Institutions

During the tenure of the first-ever governing coalition between the Social Democrats and the Green Party at the national level, which is frequently labeled the red-green coalition and which lasted from 1998 to 2005, the government established a comprehensive institutional structure at the highest political level to address sustainable development. Specifically, that institutional structure consists of the Council for Sustainable Development, an advisory body that brings together experts and interests, and the State Secretary Committee for Sustainable Development, which is sometimes referred to as “the green cabinet” and which is the government’s second highest decision-making body for sustainable development. Both of these institutional entities participated in the development of the national sustainability strategy in the early 2000s. In addition, the Bundestag, where the governing coalition also held the majority at the time due to the structure of the German political system, created the Parliamentary Advisory Board for Sustainable Development. These three separate, hierarchical entities serve different direct masters and feed into the overall sustainable development policy. Together, they make up the German government’s sustainable development institutional structure.

The creation of this network of organizational entities represents a critical juncture in the trajectory of sustainable development in German policymaking for a number of reasons. Most importantly, the institution building efforts by the Social Democrats and the Greens established the necessary institutional structure for a viable and durable sustainable development policy

regime. What is more, the sustainable development institutional structure represents an attempt to address the challenge of creating a policy regime based on a cross-cutting idea that touches various policy areas. The newly created institutions link the federal government, i.e. the chancellor and the cabinet, with the Bundestag, external experts and interests, as well as the public at large. Each of these three institutional entities plays a different role in the broader institutional structure. The Council for Sustainable Development offers its expert recommendations, the Bundestag attempts to supervise and provide a check on the government's sustainable development policymaking, and the State Secretary Committee for Sustainable Development is the decision-making body where all of the information converges. Moreover, the institutional structure engages a broad variety of stakeholders and interests, which further strengthens the emerging sustainable development policy regime. By offering opportunities for a range of stakeholders, including the general public, to be involved in the process of sustainable development policymaking, the government aligns interests in support of this policy goal and bolsters the resulting policy regime. However, the sustainable development institutional structure as well as the policy regime that emerged based on it, has its challenges and limitations. By bringing the broadest possible range of actors on board with the idea, the policy regime's underlying conception of sustainable development ended up being one based on the least common denominator. Since the stakeholders represented various interests, reaching a consensus was a challenge. Through their deliberations the diverse actors ultimately agreed upon a 'soft' version of sustainable development. That version of sustainable development features weak implementation mechanisms that are overwhelmingly voluntary and do not excessively burden the involved stakeholders, in particular business interests. Moreover, in important respects, the institutional structure lacks power, as both the Council for Sustainable Development and the

Parliamentary Advisory Board for Sustainable Development mostly provide expertise and rely upon the good will of those they advise. The State Secretary Committee for Sustainable Development, which is the most powerful of the three, lacks the level of commitment that would be necessary to effectively coordinate sustainable development efforts across different sectors of government.

This chapter examines the institutional structure that the red-green governing coalition established during its tenure to address and advance the idea of sustainable development. Specifically, the analysis focuses on the characteristics of this institutional structure as well as the quality of the institutional footing it provides for a sustainable development policy regime. I discuss the origins of this unique institutional structure, including the degree to which the federal government's institution building efforts were mirrored in the Bundestag. Thereafter, I elaborate on the interactions between the newly created institutional bodies as well as the level to which they engage various interests. Finally, I explore what impact a variety of different contextual factors have had on the institution building process.

Creating an Institutional Structure to Implement the Idea of Sustainable Development

The governing coalition between the Social Democrats and the Greens, the so-called red-green coalition, made sustainable development a priority. In the 1998 election, German voters made the Social Democrats (SPD) the strongest party in the Bundestag with over 40 percent of the votes. As a consequence, the SPD entered into a coalition with the Green Party. The coalition agreement between the two parties, which built the foundation for their governing alliance, included the creation of a national sustainability strategy as well as the development of concrete

sustainability objectives as key goals (Sozialdemokratische Partei & Die Grünen, 1998).¹

Overall, the agreement mentions “sustainable” (*nachhaltig*) fifteen times, “sustainable development” (*nachhaltige Entwicklung*) twice, and “sustainability” (*Nachhaltigkeit*) seven times. Thus, sustainable development was clearly a priority of the new government and given the first ever participation of the Green Party in a national governing coalition that may not come as a surprise.

Based on its self-prescribed goal to pursue sustainable development policymaking, the red-green governing coalition advanced the establishment of a sustainable development policy regime by creating a comprehensive institutional structure to advance the idea within government and beyond. During the coalition’s tenure, several critical institutional bodies were established, namely the Council for Sustainable Development, the State Secretary Committee for Sustainable Development, and the Parliamentary Advisory Board for Sustainable Development. The federal government created the first two to aid in the creation, implementation, and advancement of the national sustainability strategy, which was published in 2002. The Parliamentary Advisory Board for Sustainable Development was established at a later point to accompany the federal government’s national sustainability strategy.

Institutional Precursors

It is important to note that the red-green coalition was not the first to address sustainable development and to establish a process and institutional body to pursue the idea. The governing coalition between the Christian Democrats and the Free Democrats that preceded it made such an attempt as well, which reflects some continuity in the sustainable development trajectory that

¹ German original quote: “*Wir werden die Projektförderung an strategisch angelegten Leitprojekten orientieren. Dazu gehört die Ausrichtung von Forschung und Innovation auf nachhaltige Entwicklung und Zukunftsfähigkeit.*”

Table 7.1: Timeline of the Establishment of the German Sustainable Development Institutional Structure

Federal Government	Bundestag	Year	Context
	Committee of Inquiry “Protection of humans and of the environment” (12 th legislative period – 1990-1994)	1990	
National Committee for Sustainable Development was created (dissolved in 1998)		1991	
		1992	UN conference in Rio, Brazil (Agenda 21)
	Committee of Inquiry “Protection of humans and of the environment” (13 th legislative period – 1994-1998)	1994	
Step-by-Step process		1996	
Coalition agreement between the Social Democratic Party and the Green Party included the creation of a national strategy for sustainable development	Committees of Inquiry “Sustainable Energy,” “Globalization of the World Economy – Challenges and Answers” & “Demographic Change” (14 th legislative period – 1998-2002)	1998	
Council for Sustainable Development was created		2000	
State Secretary Committee for Sustainable Development was established			
Public Dialogue regarding national sustainability strategy		2001	Annual GDP growth: 1.7 percent
1st Annual conference of the Council for Sustainable Development			
National sustainability strategy “Perspectives for Germany” was adopted		2002	UN conference in Johannesburg, South Africa Annual GDP growth: 0 percent
	Parliamentary Advisory Board for Sustainable Development created	2004	Annual GDP growth: 1.2 percent

was absent in the U.S. case. However, as critics have noted, these attempts fell short of any meaningful engagement with the idea. Nevertheless, it is important to briefly consider these attempts because not only do they help us gain a fuller picture of sustainable development policy regime building in Germany, but they also allow us to draw some important conclusions. Most importantly, these efforts imply that both conservative and more progressive parties are not in complete opposition to the idea of sustainable development, meaning there is certain level of consensus around the idea.

As the initial chair of the Council for Sustainable Development Volker Hauff noted in 2001, there were several national reference points that ultimately led up to the creation of both the council and the State Secretary Committee for Sustainable Development, as well as the drafting of the national sustainability strategy (2001, p. 2). For one, from 1990 to 2002, multiple Bundestag committees of inquiry, which I address in more detail below, explored the idea of sustainable development as an overarching concept that shapes policymaking beyond one specific policy area. Specifically, the final report of the Bundestag's committee of inquiry "Protection of humans and the environment – goals and basic conditions for sustainable development," which met during the 13th legislative period (1994-1998), provided the foundation for the creation of the national sustainability strategy and the Council for Sustainable Development (Industrie- und Handelskammer Nürnberg für Mittelfranken, 2015b).

In addition to the Bundestag committees, the previous government's so-called step-process, which the then-Federal Ministry for the Environment launched in June 1996 under the leadership of the Federal Minister for the Environment Angela Merkel, laid some of the

groundwork for the creation of the two institutions as well.² The federal government initiated the step-process, short for “steps toward a sustainable, environmentally sound development,” to implement the U.N. Agenda 21. As part of this process, the government brought a variety of oppositional societal actors together in six working groups in which they discussed sustainable development, built a consensus, and agreed on a common problem definition (Reis, 2003, p. 169). Several scholars, however, criticized the shortcomings of this process. Brandl and Hildebrandt, for example, note that the step-process was focused too narrowly on environmental issues and ultimately remained without any consequences institutionally (2002, p. 192). Theologian Oliver Reis, who studies the sustainability debate from a theological perspective, argues that the government’s step-process had numerous flaws. Some of these were referenced in the 2000 environmental audit published by the Expert Advisory Board for Environmental Questions³, which the federal government created at the beginning of the 1970s. These shortcomings included the reserved role that the federal government played, the lack of academic input, and the missing institutional anchoring of the process (Sachverständigenrat für Umweltfragen, 2000; Reis, 2003 p. 259). Nevertheless, it already indicates that the support for sustainable development crosses party lines, which makes abrupt changes in the German sustainable development trajectory less likely.

Finally, the National Committee for Sustainable Development was another national reference point that preceded the institutional structure put in place by the red-green governing coalition. Initially “created [in 1991] by the Federal Chancellor [Helmut Kohl] to ensure participation of all major societal groups in the preparation of [the] UNCED,” i.e. the Rio

² Thus, the implementation of Agenda 21 was first initiated by the government coalition between the Christian Democrats and the Free Democrats and then continued by the governmental coalition between the Social Democrats and the Greens.

³ *Sachverständigenrat für Umweltfragen*

conference which was held in 1992 (OECD, 2002, p. 142), the committee brought together 35 representatives from all major social groups, including from parliament, political parties, environmental and developmental organizations, science and research institutions, industry and commerce, trade unions, agriculture, churches, as well as state and local government. The committee was a forum to facilitate the dialogue between these different political, business, and societal groups. Chaired by then Federal Minister for the Environment Angela Merkel, the committee met two to three times per year, but often without high level representatives (OECD 2002, p. 142). Thus, its impact on policymaking at the highest levels remained stunted. Before the U.N. Conference on Environment and Development in 1997, the committee published a report summarizing the sustainable development initiatives of the groups represented in it, but it did not push for any major policy changes. As a consequence, Beuermann notes that the actual significance of the committee, which was dissolved in 1998, was rather limited (2000).

In summary, these efforts show that even the more conservative governing coalition preceding the red-green coalition made some attempts to address sustainable development albeit not very serious ones with limited impact. Based on these activities, we can conclude that the conservative and the more progressive parties both view sustainable development as an idea worth pursuing in some way. In contrasting the coalition between the Christian Democrats and the Free Democrats, which governed Germany during most of the 1990s, with the red-green coalition that came to power in 1998, there is a difference in effort and intensity. The latter made a comprehensive attempt to address sustainable development that engaged leaders at the highest political level. While the impact of the attempts made by the conservative government remained limited, the red-green coalition's attempts led to the establishment of viable and durable

sustainable development policy regime. Nevertheless, both governing coalitions pursued sustainable development to some degree.

The National Sustainability Strategy

Following the 1992 Rio conference, the U.N. requested that every member state develop a national sustainability strategy. The red-green coalition codified the goal of establishing such a strategy in its 1998 coalition agreement. The agreement states that “the national sustainability strategy is an important instrument to promote ecological innovation such as the implementation of Agenda 21,” thereby it references back to the U.N. sustainable development process (Sozialdemokratische Partei & Die Grünen, 1998, p. 12). Ultimately, it took two years before the governing coalition revisited sustainable development after inscribing it in its coalition agreement and it would take until the end of that legislative period for the drafting of the national sustainability strategy to be completed, as it was not until April 17, 2002—a full decade after the Rio conference—that the federal government adopted its national sustainability strategy. Thus, Germany was relatively slow to follow the U.N. request, but in contrast to the United States, it did follow the request.

Regarding the process of developing the national sustainability strategy, the red-green coalition agreement stipulates that it should be created through “a dialogue with the important societal groups,” which then came to pass (Sozialdemokratische Partei & Die Grünen, 1998, p. 12). Making good on its promise, the government developed the national sustainability strategy through a dialogue- and consultation process that involved a broad range of stakeholders, including both special interests and regular citizens. Early on in the process, the government involved its citizens and asked them to make suggestions via a website specifically created for

the endeavor: *dialog-nachhaltigkeit.de*.⁴ The internet archive first captured this website in October 2001 and through the 155 total captures from 2001 to 2017, it also becomes clear that the government later reused this website to continue to engage the public in the process of reworking the national sustainability strategy (Bundesregierung, 2001-2017). At least part of the reasoning for providing such a tool to the citizenry was to encourage acceptance of the sustainability strategy among the population later on (Bundesregierung, 2001-2017).⁵ As the council chair Hauff had noted, it is a societal project that requires the engagement of a broad variety of actors, including the citizens (2001, p. 3).

The public could provide its input during two different dialogue phases. The first phase began in October 2001 before the draft of the national sustainability strategy was published and ended in November of the same year. On December 19, 2001, the federal government introduced the draft of the strategy to the public. Then, the second phase started following the publication of the draft strategy. Comments and suggestions could be made through the online forum, online chats, and in writing. Societal groups and municipalities were involved via direct consultations. Many organizations and interest groups also provided extensive written feedback. To structure the feedback, the government divided the online forum into five sections, namely dialogue sustainability, generational justice, quality of life, social cohesion, and international responsibility. Within each of those sections there were several themes that citizens could make contributions to (Bundesregierung, 2001-2005). The categorization into these five sections represents a novel classification the government relied upon since it provides for a less polarizing discussion and allows for fresh ways of seeing existing issues that go beyond the traditional policy divisions (Bundesregierung, 2002b).

⁴ This translates to dialogue sustainability.

⁵ German original quote: “*die Akzeptanz dieser Strategie lebt von einem breiten Dialog in der Gesellschaft*”

In addition to allowing interested citizens and stakeholders to comment on the draft strategy, the government also informed the public about the proposal. To do that, government representatives were available for online chats. For example, on November 7, 2001, the parliamentary state secretary from the Ministry of Environment, Simone Probst, answered citizen questions about the protection of the climate and renewable energy in an online chat. This was just one of multiple chats through which citizens could ask questions and make contributions. Other people available via chat were the chair of the State Secretary Committee for Sustainable Development State Minister Hans Martin Bury, the chair of the council Dr. Volker Hauff, and state secretaries from various ministries (Bundesregierung, 2001-2017). Overall, the societal dialogue involved citizens and various societal groups. The latter included academics, churches, development aid organizations, environmental organizations, business representatives, union representatives, consumer protection advocates, agricultural organizations, and municipalities. The Council for Sustainable Development participated in the process as well.

After the public dialogue ended, the federal government assessed its results both in terms of the content of the comments and the perception of the dialogue itself. Overall, all participants welcomed the dialogue and the opportunity that it offered to voice their opinions and to provide feedback (Bundesregierung, 2002b). However, they criticized the short time period that was granted for submitting feedback. In terms of the content, the dialogue participants agreed on the importance of sustainable development. Furthermore, they thought that it should play a bigger role in the public debate and that the process should not end with the publication of the sustainability strategy. Another point of agreement was that the success of the strategy depends largely on the degree to which all actors, in particular the general public, can be brought on board. Interestingly, the participants also discussed the division into four key themes, namely

generational justice, quality of life, social cohesion, and international responsibility, contentiously. Some would have preferred the more traditional three pillar model that divides sustainable development into an ecological, an economic, and a social dimension, while others argued that this model prevents the integration of these three dimensions and encourages the repetition of unchanged viewpoints. Moreover, the participants made a variety of suggestions regarding additional overarching themes that should be included in the discussion as well as specific ideas for projects. One suggestion was to include a cultural as well as an ethical dimension, another was to consider intragenerational justice. In terms of specific projects, the development of a sustainable shopping cart was suggested to encourage a change in consumer behavior. The government later implemented this suggestion. In addition, the sustainability indicators, which are intended to help keep track of the country's progress toward sustainability, were a topic of intense discussion during the dialogue. A broad variety of indicators had been proposed, including indicators that capture short-, intermediate-, and long-term goals. Most interestingly, some participants questioned the usefulness of the GDP as an indicator for sustainable development (Bundesregierung, 2002b).

Based on the feedback, the government noted that the dialogue participants overwhelmingly supported the thematic focus of the proposed sustainability strategy, which concentrated on the broad theme of increasing efficiency as well as on the three key areas energy policy, organizing mobility sustainably, and healthy nutrition. Although these areas found broad support, some participants found the narrow focus on only three priorities unsatisfactory. When we consider the feedback of different stakeholder groups, who were approached during the consultations, we can see a certain predictability in their suggestions. For example, churches noted the importance of including ethical questions and values, while development aid

organizations stressed the international implications of the national sustainability strategy as well as the importance of human rights. Furthermore, environmental organizations emphasized the long-term protection of the climate, the continuation of the eco-tax, and the need for the reduction of coal subsidies, while business representatives stressed the importance of competitiveness (Bundesregierung, 2002b).

Following the extensive dialogue- and consultation phases, the final version of the national sustainability strategy titled “Perspectives for Germany” came out in April 2002. A few months later, the German federal government introduced the strategy to the world at the U.N. conference in September 2002. In total, the strategy includes 21 goals and indicators: Nine in the category intergenerational justice, six relating to quality of life, four to social cohesion, and two to international responsibility. Among these indicators are the conservation of resources, the protection of the climate, education, mobility, equality, and development cooperation to name just a few. Through its national strategy, the government also sets a number of core areas for accomplishing sustainability, including energy efficiency, demographic change, and innovative companies. Ultimately, the creation of the national sustainability strategy represents a paradigm shift away from the focus on increased productivity and competitiveness during the 1970s and 1980s and towards the new paradigm of increasing resource efficiency.

Once it published the national sustainability strategy, the government followed it up with regular progress reports every four years (2004, 2008, 2012, & 2016) as well as indicator reports every two years (2006, 2008, 2010, 2012, 2014, & 2016). In addition to reporting on the progress made towards fully implementing the sustainability strategy, the government has also used its progress reports to further develop the strategy and it continued engaging stakeholders as well as

the public in this process. The Federal Statistical Office publishes the indicator reports to lay out how the statistics for each indicator measure up to the goals set by the government.

Finally, to aid in developing and implementing the national sustainability strategy, the federal government created three institutions: The Council for Sustainable Development, an office for the council to support its work, and the State Secretary Committee for Sustainable Development (Bundesregierung, 2017c; Bundesregierung, 2000). These institutional entities can be compared to Bill Clinton’s President’s Council for Sustainable Development in that the council brought together various outside experts and the committee consisted of state secretaries representing different ministries—two groups that were also represented in the U.S. president’s council. In what follows, I examine both the council and the committee as well as their role in the broader institutional context in some detail. This is particularly important because a strong institutional structure is necessary to facilitate the implementation of the national sustainability strategy.

The Council for Sustainable Development

Chancellor Schröder and his cabinet created the Council for Sustainable Development with a cabinet decision on July 18, 2000. The purpose of the council was to provide expert advice for the national sustainability strategy and to help prepare Germany for the 2002 U.N. Conference on Environment and Development. The council of experts works in tandem with the State Secretary Committee for Sustainable Development, both of which were established to help advance the idea of sustainable development (Rat für Nachhaltige Entwicklung, 2015b).

Following, I first examine the membership of the council. Then, I lay out what the tasks of the

council are and how it has sought to accomplish them over the past decade and a half, this includes its involvement with the national sustainability strategy.

The members of the council are appointed by the chancellor for a 3-year term. The fifteen members⁶ come from the public life representing environmental, economic, and social interests. Currently, the council includes members that represent environmental organizations, like BUND Friends of the Earth Germany as well as the Nature and Biodiversity Conservation Union (NABU), and business interests, such as the company Henkel and the association of municipal enterprises (VKU). In addition, several academics are members of the council. The Social Democrat and former Federal Minister for Transport (1980-1982) as well as Federal Minister for Research and Technology (1978-1980) Dr. Volker Hauff initially chaired the council from 2001 to 2010. Other former chairs are the Christian Democrat Hans-Peter Repnik, a long-standing Member of Parliament and former Secretary of State for International Development Cooperation and Recycling Economy, as well as Prof. Dr. Klaus Töpfer, a former Undersecretary General at the U.N. and the executive director of the U.N. Environmental Program (UNEP). Since 2012, Marlehn Thieme has been the chair of council. Thieme also chairs the ZDF broadcasting commission and is a member of the Council of the Evangelical Church in Germany. The 15 members select the chair of the council themselves.

Early on, the council offered the government its expert advice on the proposed national sustainability strategy as it was designed to do. Specifically, the experts argued that the sustainability strategy must meet three conditions: 1) its goals must be ambitious and measurable through quantitative indicators, 2) the federal government must engage as many stakeholders as possible, and 3) it must tie national action into international and global responsibility (Rat für

⁶ Initially, the Council had 18 members.

Nachhaltige Entwicklung, 2015b). Following the initial publication of the national sustainability strategy, the council continued its engagement with it and regularly offered the chancellor its suggestions and critiques, particularly for the regular formal updates to the national sustainability strategy. For example, in June 2016, the council heavily criticized the government's latest update to the sustainability strategy. In its statement regarding the government's May 2016 draft of the revised strategy, the council argued that the updates do not go far enough noting that "the draft too often takes the path of least resistance" (Rat für Nachhaltige Entwicklung, 2016c). Thus, the experts in the council do not shy away from openly criticizing the government and the chancellor for the quality of their sustainable development policymaking.

As the council's engagement with the national sustainability strategy makes clear, it serves as an advisory body to the federal government that contributes not only to the national sustainability strategy, but also suggests concrete projects and undertakes projects itself, some of which I discuss below. In addition, it facilitates the societal dialogue about sustainability with the aim of building a broad societal consensus in support of sustainable development. Ultimately, the goal of the council is to help the idea of sustainable development to gain traction in the policy debate and to make clear that it needs to be applied to every policy area. In its own words, the council describes its tasks as follows:

[The council] works towards citizens living a sustainable lifestyle and towards a broad public discussion on sustainability. It urges businesses and institutions to make their economic activities sustainable, to face the challenges posed by sustainability and to make use of its opportunities. The [council] seeks to broaden the discussion on sustainability within society and to make the outcomes of this more effective and more binding. (Rat für Nachhaltige Entwicklung, 2017b)

For every three-year period, the council gives itself a working program that specifies the current political context of its work, the thematic priorities of its efforts, and its communication strategy,

among other aspects. The current working program for the period from 2017-2019, for example, notes that the council plans to focus on a broad range of topics, such as education for sustainable development, digitization and sustainability, energy transition and decarbonization, sustainable city and the relationship between urban and rural areas, recycling management, and sustainability culture, among other topics. In addition, it notes that Agenda 2030, also known as the Sustainable Development Goals, and the 2016 German National Sustainability Strategy set the frame for the council's work.

To accomplish its goals, the council meets four times a year and holds an annual conference to which it invites a multitude of stakeholders. In addition, it conducts political forums, symposia, and other events as well as gives out the sustainability award. Furthermore, the council relies upon several tools to meet its goals. For example, members of the council can form working groups on principle themes, like sustainable development goals, economy, and consumption, or ad hoc groups for specific assignments. The council also furthers its work through conferences and workshops as well as provides the government, stakeholders, and the public with various publications, presentations, and recommendations (Rat für Nachhaltige Entwicklung, 2017a). Another instrument is the dialogue of mayors for a “sustainable city.” Since 2010, a group of 30 mayors meets regularly—following the invitation of the council—to discuss strategic questions relating to sustainability in urban areas. At their meetings, they share their experiences and in addition to that, they have adopted strategic points about sustainability in municipalities.

Over time the council pursued various projects, such as the Sustainable Shopping Cart, the German Sustainability Code, the Carl-von-Carlowitz lectures, and the German Sustainability Action Days. The Sustainable Shopping Cart offers consumers help to find sustainable

alternatives and seeks to encourage sustainable consumption. Specifically, it offers information about when different vegetables are in season and details about the ecological footprint. Consumers can access the advice through a cellphone application as well as the council's website and brochures. Chapter 4 examines the German Sustainability Code in detail. The Carl-von-Carlowitz lectures are named after the founder of sustainable development, who in 1713 published *Sylvicultura Oeconomica*, the first comprehensive book about forestry that introduced the term sustainability. Professor Wolfgang Haber, the founder of the German landscape ecology, gave the inaugural Carl-von-Carlowitz lecture in 2009 at the 9th annual conference of the council. The former Federal Minister for Environment and former UNEP Executive Director Professor Dr. Klaus Töpfer gave one of the more recent Carlowitz lectures. Finally, through the annual sustainability action days, the council seeks to make the multifaceted sustainability engagement publically visible and encourage citizen initiatives (Rat für Nachhaltige Entwicklung, 2015b). The first Action Day took place in 2012, later it turned into nine days of sustainability action. The Action Days, which feature a broad variety of activities from individuals and groups, raise the local visibility of the idea of sustainable development and make this abstract idea of sustainable development more concrete and relatable. The project has been quite successful, particularly in the last few years. During the first three project years, there were around 250 action day(s)/week projects every year. But more recently, that number increased significantly. During the 2017 action week, which took place from May 30 to June 5, 2017, a total of 1842 “activities for tomorrow” were carried out. Additionally, the project has become internationalized with the establishment of the European actions days, which first took place in 2015 with over 4,000 action projects in 29 different countries (Bundesministerium für Umwelt, Naturschutz, Bau und Reaktorsicherheit, 2015).

In addition to these projects, the council holds annual conferences and other events across the country to bring together stakeholders and to facilitate the public dialogue about sustainable development. At its first conference on September 28, 2001, for example, the council focused on three broad themes—energy and climate protection, mobility and transportation, as well as agriculture, environment, food and health. These key themes, council chair Volker Hauff noted in his opening remarks, were decided upon by the federal government. He goes on to point out that while the council did decide to initially focus on these predetermined themes, there are additional themes the council views as important, such as fighting poverty, world food, global resource protection, and national land use. In addition to various experts and members of the council, the Chancellery’s Minister of State Hans Martin Bury (SPD) and the executive director of the United Nations Environment Program (UNEP) Dr. Klaus Töpfer (CDU) were invited to give speeches during the 2001 conference, thereby making the event bipartisan. Furthermore, every year, the chancellor speaks at the conference. At the council’s annual conference in 2005, for example, Chancellor Schröder gave a speech in which he focused heavily on energy policy, specifically the development and promise of new technologies, increasing efficiency, and the expansion of renewable energy. The conference organizers, it should be noted, follow the guidelines for sustainable event management. As part of this attempt to make the conference itself as sustainable as possible, the council offered a conference livestream as well as train tickets at a reduced price for its 2017 annual conference.

The State Secretary Committee for Sustainable Development

In addition to the Council for Sustainable Development, the federal government created the State Secretary Committee for Sustainable Development with a cabinet decision on July 18,

2000 to address, coordinate, and implement sustainable development policy across all policy areas. The State Secretary Committee for Sustainable Development is the second highest decision-making institution of the federal government in matters of sustainability policy—the first being the cabinet—and is considered to be the “institutional heart” of German sustainable development policymaking (Bornemann, 2013, p. 435). The head of the federal chancellery chairs the committee. Since December 2013, the CDU politician Peter Altmaier holds that position. As the head of the federal chancellery, Altmaier coordinates the work of the different ministries and serves as a liaison to the parliament and the federal states as well as to societal groups. These duties make the head of the federal chancellery an effective choice to oversee the federal government’s sustainable development policy. State secretaries from each federal ministry make up the committee. Known as the “sustainability cabinet” and the “green cabinet,” these state secretaries anchor the principles of sustainable development in their ministries. It is unclear how committed the various state secretaries and their respective ministries are to accomplishing this goal, but having a committee at this political level with the participation of high-level government officials is a promising sign. The government itself underscored this interpretation noting that sustainable development is a top priority in Germany (Bundesregierung, 2008, p. 29).

The primary task of the committee is the interagency coordination of the federal government’s national sustainability strategy (Bundesministerium für Umwelt, Naturschutz, Bau und Reaktorsicherheit, 2013). In addition to interagency coordination, the committee advances and develops the sustainability strategy content-wise, advises the federal government on current sustainability topics, regularly reviews the advancement of the sustainable development indicators, and implements the sustainability strategy (Bundesregierung, 2017a). The council has

addressed a variety of topics, including the increase of cooperation between the federal government and the states, the decrease of land use, the sustainable resource economy, research and innovation, consumer politics and sustainable construction, the impact of demographic change on medical care, sustainable finance politics and the European sustainability strategy. This extensive list of topics reinforces the fact that the German government views sustainability and sustainable development as policy ideas that are so overarching that they impact every aspect of policymaking, which is also reflected in the decision to include a representative from every ministry in the committee. Though ultimately, it remains uncertain what that means for policymaking in practice.

Starting in 2008, the State Secretary Committee for Sustainable Development has given itself a work program every two years, which highlights the issues it seeks to focus on (Bundesministerium für Umwelt, Naturschutz, Bau und Reaktorsicherheit, 2013). From 2012 to 2013, for example, the committee focused on the sustainable city, sustainability in the European Union, and education for sustainable development, among other topics (Bundesregierung, 2013-2017). The following work period, from 2014 to 2015, it concentrated on a variety of issues, including sustainable mobility, the peer review of the 2013 sustainability strategy, and the post 2015-Agenda for sustainable development (Bundesregierung, 2013-2017).

To examine these issues, the committee meets on a regular basis and then informs the public about those meetings through press releases. The number of those meetings varies by year. While the committee met three times in 2014 and in 2015, it only met once in 2016 (Bundesregierung, 2017c). The low number of meetings indicates that the committee discusses overarching topics and not the day to day policy decisions into which sustainable development needs to be incorporated (cf. Berger & Steurer, 2009, p. 9). According to Bornemann (2013),

there have been attempts to enhance the status of the committee by increasing the number of meetings (Bundesregierung, 2008, p. 33), but that has not been put into practice yet.

As noted, one of the committee's key tasks is to lead the reporting process for the national sustainability strategy. In that capacity, the committee determines the conception, extent, timing, and focus of the reporting (Bundesministerium für Umwelt, Naturschutz, Bau und Reaktorsicherheit, 2013). As part of this process, it also decides the procedure through which to include various stakeholders in the advancement of the strategy. Thus, the committee engages a variety of different societal interests in this process as the federal government is interested in continuing the broad public dialogue that it put in place to create the initial national sustainability strategy in 2002. The committee ultimately composes the regular progress reports and signs off on the final draft before the cabinet adopts it (Bundesministerium für Umwelt, Naturschutz, Bau und Reaktorsicherheit, 2013). It should be noted that the sustainability strategy progress reports are not merely reports detailing the progress that the government has made towards implementing the national sustainability strategy, but instead also continuously revise the initial strategy. In addition to the overarching progress reports, each ministry also publishes its own reports recording the progress it has made in implementing the principle of sustainability into its area of responsibility. The Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety, for example, published two of its own reports—one in 2009 and another one in 2013.

To support the work of the committee, the government established a parallel organizational structure that brings together the various ministries' heads of the directorate. This working group for sustainable development of the heads of the directorate is where most of the coordination and calibration work takes place. Thus, the group prepares the meetings of the

committee. Overall, it seems promising that an institutional entity at this level of government exists to address sustainable development even though it remains unclear how successful it has been in bringing every ministry on board with the idea of sustainable development.

Finally, the Bundestag has at least some relation to the committee. For one, the final report of the committee of inquiry “Protection of humans and environment,” which was published in 1998, recommended the creation of the state secretaries committee. Several years after its establishment, the Bundestag also created an organizational entity to facilitate the incorporation of sustainable development into legislative activities, the so-called Parliamentary Advisory Board for Sustainable Development. The following section discusses both and addresses their role in the broader sustainable development institutional structure.

Parliamentary Action:

The Parliamentary Advisory Board for Sustainable Development & Its Predecessors

In addition to the institution building efforts of the federal government, specifically the chancellery, it is important to consider how the Bundestag addressed sustainable development. This helps us understand the level of support for sustainable development across government. The Bundestag’s sustainable development efforts are ultimately separate from those of the federal government, even though there are some points of connection and interaction.

The most important parliamentary sustainable development entity, the Parliamentary Advisory Board for Sustainable Development, was established during the tenure of the red-green coalition. This is not surprising since sustainable development got a boost when the red-green coalition took over the reins, as it anchored the idea in its 1998 coalition agreement and established the national sustainability strategy along with the Council for Sustainable

Development and the State Secretary Committee for Sustainable Development. Nevertheless, the Bundestag had already made earlier attempts to address sustainable development policymaking through various committees of inquiry.

During most of the 1990s, Germany was governed by a coalition between the Christian Democrats and the Free Democrats. In the 1998 Bundestag election, however, over 40 percent of German voters supported the Social Democratic Party. As a result of the election, Social Democrats built a coalition with the Green Party, which received just shy of 7 percent of the votes. The coalition selected then-minister of Lower Saxony Gerhard Schröder as the first Social Democratic chancellor since Helmut Schmidt, who had left office in 1982. The results of the following Bundestag election were much narrower. Both the Social Democrats and the Christian Democrats received 38.5 percent of the vote. But because the Green Party gained almost 2 percent vis-à-vis their 1998 result, the coalition between them and the Social Democrats continued. The opposition consisted of the Christian Democrats (CDU/CSU), the Free Democrats (FDP), and the Party of Democratic Socialism (PDS).⁷

In what follows, I first briefly address the work of several committees of inquiry, which foreshadowed the Parliamentary Advisory Board for Sustainable Development. Then I examine the latter in some detail. Based on the analysis of parliamentary action, it becomes clear that the Bundestag continually addressed sustainable development even before the federal government began its institution building efforts. What is more, the parties represented in the Bundestag have come to a general consensus as they all agree that sustainable development should be a key principle of policymaking. The differences of opinion between the parties lie in the detail.

⁷ The Party of Democratic Socialism was a faction only during the red-green coalition's first term in office.

Table 7.2: Committees of inquiry dealing with sustainable development

Legislative Period	Years	Committee	Members (internal/external)	Chair	Documents
12 th	1990-1994	Protection of Humans and the Environment – Assessment criteria and perspectives for sustainable material flows in the industrial society	13/13	Michael Müller (SPD), later: Ernst Schwanhold (SPD)	12/1290 & 12/1951 (creation) 12/5812 (progress report) 12/8260 (final report)
13 th	1994-1998	Protection of Humans and the Environment – Goals and basic conditions for sustainable development	11/11	Ernst Schwanhold (SPD), later: Marion Caspers-Merk (SPD)	13/1533 (creation) 13/7400 (progress report) 13/11200 (final report)
14 th	1998-2002	Sustainable Energy Supply under the conditions of globalization & liberalization	13/13	Kurt-Dieter Grill (CDU/CSU)	14/2687 (creation) 14/7509 (progress report) 14/9400 (final report)
		Globalization of the World Economy – Challenges and Answers	13/13	Ernst Ulrich von Weizsäcker (SPD)	14/2350 (creation) 14/6910 (progress report) 14/9200 (final report)
		Demographic Change	11/11	Walter Link (CDU/CSU)	14/2354 (creation) 14/8800 (final report)

Committees of Inquiry

Starting in the early 1990s, the Bundestag put in place multiple committees of inquiry to explore the idea of sustainable development in more detail. Specifically, the role of these committees is to discuss questions regarding the future that are beyond the politics of the day and to prepare political decisions. External experts play a critical role in the work of these committees. One half of the members of committees of inquiry are external experts, the other half are members of the Bundestag. Each party gets to select a certain number of experts proportional to the size of its faction.

During the 12th legislative period (1990 to 1994), the Bundestag established a committee of inquiry to examine the “Protection of humans and environment.” It was the Social Democratic Party (SPD) that petitioned for the creation of the committee in October 1991 (Deutscher Bundestag, 1991) and on February 14, 1992 the Bundestag enacted the creation of the

committee, which was tasked with assessing the most important issues relating to industrial material flows. Specifically, it was to explore alternatives to current retrieval, develop evaluation criteria for comparative environmental assessments that are rooted in science and supported by societal consensus, and make recommendations to the Bundestag. The thirty-member committee met for a total of 63 meetings during the legislative period and published two reports of its work (Deutscher Bundestag, 1993, 1994).

In the following 13th legislative period (1994 to 1998), four out five party factions represented in the Bundestag joined together to propose the continuation of the committee (Deutscher Bundestag, 1998c). The coalition spanned almost the whole ideological spectrum from the Free Democratic and the Christian Democratic Party to the Social Democratic and the Green Party, only the Party of Democratic Socialism (PDS) decided not to join the other parties for the petition. The committee was appointed on June 1st, 1995. The issue areas that the committee focused its work on during the 13th legislative period were the formulation of both environmental goals and basic economic and social conditions, the need for societal, economic and technological innovations, and the measures to implement sustainable development. The 22 member committee met for 67 sessions and a 2-day conference. Interestingly, it went on a study tour to the United States, where it informed itself about the state of President Clinton's national sustainability strategy. The committee published two reports of its work (Deutscher Bundestag,, 1998a, 1998b), which pushed for a national sustainability strategy with concrete goals and a focus on implementation. The final report even recommended the appointment of the Council for Sustainable Development and the State Secretary Committee for Sustainable Development (Deutscher Bundestag, 1998a, pp. 3, 10).⁸ During the 14th legislative period (1998-2002), there

⁸ German original quote: *“Um diesem Anspruch auch in der Institutionenlandschaft gerecht werden zu können, plädiert die Kommission für eine Straffung und neue Aufgabenstellungen des bestehenden Institutionengeflechts. Die*

were three committees of inquiry that addressed sustainable development to varying degrees:

The Sustainable Energy Supply under the conditions of globalization & liberalization committee, the Globalization of the World Economy – Challenges and Answers committee, and the Demographic Change committee.

What the existence and work of these various committees of inquiry makes clear is that the creation of the national sustainability strategy as well as the Council for Sustainable Development cannot be attributed exclusively to Chancellor Schröder and his cabinet. Instead the Bundestag played a critical role in moving the policy discussion forward, incorporating the input of experts, as well as building a consensus among the various party factions represented in the Bundestag. And while these committees only existed for the duration of the respective legislative period, they served as the precursors for a more permanent institution—the Parliamentary Advisory Board for Sustainable Development. The petition to create the advisory board makes note of the important role that the 1998 report of the Committee of Inquiry “Protection of Humans and Environment” played in the creation of the national sustainability strategy and consequently also for the creation of the advisory board (Deutscher Bundestag, 2004, p. 2)

Parliamentary Advisory Board for Sustainable Development

The Parliamentary Advisory Board for Sustainable Development is the third institutional entity that was created during the tenure of the red-green coalition. It is a hierarchical entity that is separate from both the Council for Sustainable Development and the State Secretary Committee for Sustainable Development. Instead of the chancellor, it serves the Bundestag,

Einsetzung eines Rates für nachhaltige zukunftsverträgliche Entwicklung wird empfohlen, angesiedelt beim Bundeskanzleramt, ausgestattet mit dem Recht zur Selbstbefassung und unabhängig von den Legislaturperioden.”

Table 7.3: Parliamentary Advisory Board for Sustainable Development

Legislative Period	Years	Creation Petition Supported by	Members	Chair	Key Documents
15 th	2004 – 2005	SPD, Greens, FDP	9	SPD – Astrid Klug	Drs. 15/2441 (creation) Drs. 15/5942 (report)
16 th	2005 – 2009	CDU/CSU, SPD, Greens, FDP	22	CDU/CSU – Dr. Günter Krings	Drs. 16/1131 (creation) Drs. 16/12560 (report)
17 th	2009 – 2013	CDU/CSU, SPD, Greens, FDP	20	CDU/CSU – Andreas Jung	Drs. 17/245 (creation) Drs. 17/13064 (report)
18 th	2013 – Present	CDU/CSU, SPD, Greens, Left	17	CDU/CSU – Andreas Jung	Drs. 18/559 (creation)

Source: Deutscher Bundestag, 2015

which not only passes legislation, but also provides a check on the federal government. While the three institutional bodies do connect with one another to a certain degree, they were not created as a well-thought out institutional design, but in contrast as a response to governing and policy needs. Thus, the Parliamentary Advisory Board for Sustainable Development exists and works parallel to the institutional entities that serve the federal government.

Following the work of the various committees of inquiry, which explored different aspects of sustainable development, the Bundestag created the Parliamentary Advisory Board for Sustainable Development as a more enduring entity on January 9th, 2004, following a petition from the SPD, the Greens, and the FDP. For the government factions, i.e. the Social Democrats and the Greens, the creation of the parliamentary advisory board represents the realization of an agreement in their coalition contract, which noted that the implementation of the sustainability strategy will be accompanied by the Bundestag in a suitable manner (Bornemann, 2013, p. 437; Sozialdemokratische Partei & Die Grünen, 2002, p. 36). In the following two legislative periods, all party factions except for the Left joined to call for the continuation of the advisory board. Finally, during the current legislative period (2013-2017), all factions represented in the Bundestag called for the continuation of the advisory board. Thus, there has been a broad

parliamentary consensus about the importance of sustainable development that spans across party lines.

However, there are some limitations to this consensus and some drawbacks to pursuing the broadest possible agreement between the factions represented in the Bundestag. As Bornemann points out, the advisory board attempts to make decisions unanimously since only the “consensus of all factions” assures the continuity of its work even when there are shifts in the political power balance (2013, p. 439; Bundesregierung, 2008, p. 177). The result of this pursuit of the least common denominator is a weak version of sustainable development. While the parties on the left of the ideological spectrum tend to argue for a stronger version of sustainable development, i.e. one that restricts economic activity and puts strong environmental regulations in place, the right-leaning parties advocate for a softer version that does not excessively burden business interests. For example, during the discussion of the proposal to reappoint the advisory board on February 20, 2014, the speaker from the Left Party faction went as far as to voice a critique of capitalism as she advocated for sustainable development (Deutscher Bundestag, 2014, pp. 4-6). The parties on the other end of the ideological spectrum still made arguments in favor of sustainable development, but their arguments represented a defense of capitalism. The only way to reach a consensus of all factions was for the more progressive parties to agree that a weak version of sustainable development was better than nothing.

The advisory board was meant to accompany the federal government’s national sustainability strategy as well as the responsible institutional entities of the federal government, i.e. the Council for Sustainable Development and the State Secretary Committee for Sustainable Development. As such, it has control function vis-à-vis the federal government. In the initial petition calling for its establishment, the signatories noted:

To fulfill the interdisciplinary approach of the sustainability concept and the interagency decision-making in form of the ‘green cabinet,’[which refers to the State Secretary Committee for Sustainable Development,] the Bundestag views the creation of the Parliamentary Advisory Board for Sustainable Development to accompany the strategy process as necessary. The Parliamentary Advisory Board *guarantees the parliamentary supervision of the federal government’s sustainability strategy*, improves the dialogue about sustainable development with societal groups and *strengthens the institutional foundation* for a successful implementation of the concept. (Deutscher Bundestag, 2004, p. 2; emphasis added)⁹

As this summary of the intended goal for the advisory board indicates, its existence and work is supposed to monitor the federal government’s overall sustainable development policymaking process as well as to strengthen the institutional foundation underlying the sustainable development policy regime. In 2015, the Bundestag reiterated the importance of the advisory board for the sustainable development policy regime, noting: “Its work contributes to the deep anchoring of the idea of sustainability into the political and societal foundation” (Deutscher Bundestag, 2015, p. 2). As such, the Parliamentary Advisory Board for Sustainable Development takes a central position in the German sustainable development institutional structure. But how does the advisory board fulfill this broad task and how effective is it in practice?

Over time the advisory board’s range of responsibilities has continually expanded. Initially, the focus was mostly on accompanying the federal government’s national sustainability strategy; later on, the international sustainability policy has become more important. Furthermore, its control function has increased over time. As noted, the advisory board is tasked with the parliamentary supervision of the national sustainability strategy. Specifically, it makes suggestions to further develop the sustainability strategy, accompanying the sustainable development institutions created by the federal government (i.e. the Council for Sustainable

⁹ Antrag Einrichtung eines parlamentarischen Beirates für nachhaltige Entwicklung

Development & State Secretary Committee for Sustainable Development), making recommendations for medium- and long-term planning, maintaining contact and consulting with other parliaments, and providing a report every two years (Deutscher Bundestag, 2004, p. 3). It provides information to the Bundestag as a whole, specifically it suggests improvements and makes statements to the Bundestag about policy proposals and makes recommendations to Bundestag committees (Bundesministerium für Umwelt, Naturschutz, Bau und Reaktorsicherheit, 2013). In the 16th legislative period (2005-2009), the advisory board initiated the introduction of a sustainability assessment for legislation that the federal government then put in place. The assessment conducted by the advisory board reveals the costs and benefits of proposed policy for future generations (Bundesministerium für Umwelt, Naturschutz, Bau und Reaktorsicherheit, 2013).

Ultimately, the Parliamentary Advisory Board for Sustainable Development is missing the instruments to be an effective control organ that strengthens sustainable development policymaking. As Bornemann notes, it represents a weak parliamentary anchoring of sustainable development policymaking because its function is to offer its expert advice, it does not have the power that a regular committee has as a preparation and decision-making body in the legislative process (2013, p. 437; Deutscher Bundestag, 2004, p. 2). Thus, it is important to note that a critical limitation of the advisory board is that it does not have any legislative competence (i.e. cannot propose laws).

Overall, the advisory board has been in existence for a total four legislative periods thus far. Throughout the last twelve years, the advisory board has been chaired by members from both the Christian Democratic Union (CDU) and the Social Democratic Party (SPD) depending on which was the strongest party at the time (cf. Table 7.3). This reflects surprising continuity and

institutional durability over time despite major shifts in political power. At least in part, this continuity is likely due to the fact that the parliamentary advisory board is grounded in a broad consensus across the various party factions.

In Summary

Early on, through various committees of inquiry, the Bundestag played a critical role in moving the sustainable development policy discussion forward by building a consensus among the various party factions and requesting the input of experts. Among other things, this work led to a recommendation to the federal government to create the Council for Sustainable Development. Thus, the Bundestag contributed to the federal government's institution building efforts. After relying on changing committees of inquiry for three legislative periods from 1990 to 2002, the Bundestag made its sustainable development policy work more permanent and durable through the creation of the Parliamentary Advisory Board for Sustainable Development, which has accompanied the overall national sustainable development strategy since 2004. The advisory board is the third institutional entity at the federal level that was created during the tenure of the red-green coalition with the expressed purpose of addressing sustainable development. But instead of the chancellor, the advisory board serves the Bundestag. Though it created consensus among the different party factions, this consensus is one based on the least common denominator. Ultimately, this as well as the fact that it has limited power means that the advisory board can only advocate for a weak version of sustainable development.

Interactions between Ideas, Interests, and Institutions

It is useful to consider not only what this institutional design looks like, but how it channels attention, information, and relationships in support of sustainable development as a policy goal (May & Jochim, 2013). Similarly, it is useful to examine whether it established linkages among the relevant implementing authorities and whether there is bureaucratic competition inherent in the policy design that may undermine structure-induced cohesion (May & Jochim, 2013). In addition, it is necessary to consider how successful the institutional structure has been and continuous to be in engaging and molding interests in support of the policy goal sustainable development. This section considers these questions in some detail.

Relationships within the Institutional Structure

The State Secretary Committee for Sustainable Development is likely the most powerful of the three institutions. After all, it is the second highest governmental authority in matters of sustainable development following the cabinet itself. In addition to fostering the coordination between and facilitating the implementation of sustainable development within the different federal departments, it has a working relationship with both the Council for Sustainable Development and the Parliamentary Advisory Board for Sustainable Development. The committee can invite both the council and the parliamentary advisory board to participate in its meetings and to respond to sustainability reports. In addition, the committee serves as a point of contact not only for the Council for Sustainable Development and the Parliamentary Advisory Board for Sustainable Development, but also for the federal states and key municipal associations (Bundesregierung, 2017b). As such, the State Secretary Committee for Sustainable Development is the key coordinating body for German sustainable development policy. While it

occupies a powerful position within the broader institutional structure, it is unclear how effective the committee is in advancing sustainable development and bringing about stronger coordination of efforts across the different sectors of government. But given that it does not meet very frequently or address daily politics, it likely could do more.

From the beginning, both the State Secretary Committee for Sustainable Development and the Council for Sustainable Development played a critical role in the development of the federal government's national sustainability strategy. For example, the council officially responded to the draft of the strategy by offering its expert feedback, which the federal government considered in its reworking of the draft (Rat für Nachhaltige Entwicklung, 2002). Among other things, the government took up the council's recommendation that the strategy must include measurable indicators. The council was involved not just in the initial development of the strategy, but continued to provide detailed suggestions and critiques of later editions of the sustainability strategy thereby contributing to the building of expertise that could improve sustainable development policies and programs.

The State Secretary Committee for Sustainable Development and the Council for Sustainable Development have a close relationship with one another. This is underscored by the fact that they have had several joint meetings in the past as well as made joint statements about German sustainable development policy. For example, then-council chair Hans-Peter Repnik was invited to the December 7, 2010 committee meeting as an external guest (Bundesregierung, 2010). In September 2011, the committee and the council came together for a joint meeting to discuss the draft of the 2012 progress report for the national sustainability strategy (Bundesregierung, 2011b). In March 2013, the two organized a symposium together on the occasion of the 300-year anniversary of the publication of Hans Carl von Carlowitz' *Sylvicultura*

Oeconomica, which coined the term sustainability (Bundesregierung, 2013). And in April 2017, the committee and the council made a joint statement addressing the updated national sustainability strategy and the U.N. Agenda 2030 (State Secretary Committee for Sustainable Development & Council for Sustainable Development, 2017). Though they have a strong relationship, the committee is clearly more powerful since it is a decision-making body, while the council is merely an advisory body. Furthermore, the committee serves the cabinet and the chancellor by preparing sustainability-related decisions, while the council is independent though appointed by the chancellor every three years.

Both Chancellors Schröder and Merkel, who have appointed the members of the council, have delivered keynote speeches at the Council for Sustainable Development's annual conference and acknowledged the importance of the council's work to advance sustainable development policymaking in Germany. In his 2005 speech to the annual conference of the council, Chancellor Gerhard Schröder recognized the work and impact of the council thanking it for its role as an impulse giver and admonisher even when it was uncomfortable, which according to him it was many times. Furthermore, Schröder noted that many—though not all—of their suggestions were picked up (2005). Several years later, Chancellor Angela Merkel followed suit by praising the council's "action day sustainability" initiative during her speech at the council's annual conference (Bundesregierung, 2011a). Ultimately, the fact that it has some independence allows the council to critically assess the federal government's sustainable development actions, but at the same time as an expert advising body, it has no real power to change the federal government's sustainable development policy.

Furthermore, it is illustrative to consider the relationship between the chancellor-appointed Council for Sustainable Development and the legislative branch. The relationship was

certainly not oppositional, like the relationship between both Presidents Clinton and Obama with the Republican-controlled Congress. Instead, as noted earlier, one of the Bundestag's committees of inquiry went so far as to advocate for the creation of such a council. And the council from its perspective also views the relationship with the legislative branch as cooperative. In a speech at the council's first annual conference, then-council chair Volker Hauff (2001) made sure to underscore the point that the council does not view itself in opposition to the parliament because, he noted, there had been some criticism of the council. According to the criticism, the council is a way to exclude the parliament from important debates and to instead create a consensus machinery without democratic legitimacy. Instead Hauff argued, "the council facilitates the goal of finding consensus, but it does not replace it" (2001, p. 7).¹⁰ Thereby, he highlights the Bundestag's role in the process of building a sustainable development policy regime. Both institutional entities are providing expert advice. The council advises the chancellor and the State Secretary Committee for Sustainable Development, while the parliamentary advisory board shares its expertise mostly with the various Bundestag committees as well as the federal government through the ministries when it conducts the legislative sustainability impact assessment.

The Parliamentary Advisory Board for Sustainable Development has a broad range of functions that connect it to the other institutional bodies that deal with sustainable development. Not only does it give recommendations to Bundestag committees, but it interacts with the federal government in a variety of ways. Its task of continuously monitoring the national sustainability strategy requires that it engages with the federal government on a regular basis. Specifically, the

¹⁰ German original quote: *"In der letzten Zeit ist viel Bedenkenswertes gesagt worden über die von Bundeskanzler Schröder eingerichteten Räte und Kommissionen. Es wurde auch geargöhnt, dass das Parlament von wichtigen Debatten ausgeschlossen würde und das seine Konsensmaschine ohne demokratische Legitimierung aufgebaut würde. Räte und Kommissionen dienen dem Ziel der Konsensfindung, ersetzen diese aber nicht."*

advisory board holds conversations with the federal government, the Council for Sustainable Development, and the State Secretary Committee for Sustainable Development to participate in the government's sustainable development policymaking and to respond to various reports (Bundesministerium für Umwelt, Naturschutz, Bau und Reaktorsicherheit, 2013). Thus, the advisory board is tied into the institutional framework that advances sustainable development. Beyond the national level, the advisory board is also in contact with various other institutions at the state as well as at the international level. It observes and helps develop the European sustainability policy further and accompanies the United Nations sustainability policy (Bundesministerium für Umwelt, Naturschutz, Bau und Reaktorsicherheit, 2013). Furthermore, it exchanges ideas with parliamentarians from other European countries about their sustainability policy (Bundesministerium für Umwelt, Naturschutz, Bau und Reaktorsicherheit, 2013). Though it has a broad range of interactions with a variety of institutional entities, including the council and the committee, the advisory board lacks the power to advance sustainable development policymaking. Its lack of enforcement power means it depends upon the good will of the other institutional actors as well as the politicians it interacts with.

Engaging Interests in the Institutional Structure

The Council for Sustainable Development, the State Secretary Committee for Sustainable Development, and the Parliamentary Advisory Board for Sustainable Development engage interests in a variety of ways. The goal of engaging interests in sustainable development policymaking is to mold them in support of this policy goal and to strengthen the interest foundation of the policy regime. Most clearly, the federal government engaged a multitude of interests and stakeholders in the process of developing and advancing the national sustainability

strategy. Both individuals and groups could provide comments and feedback to the draft of the strategy that the government then reviewed. Even after the national sustainability strategy was officially published in 2002, the government continued to involve interests in the advancement of the strategy in the years since. To be precise, it was the State Secretary Committee for Sustainable Development that decides the procedure for how interests are involved in this process.

Interests are also involved in sustainable development policymaking via the processes of the Council for Sustainable Development and the Parliamentary Advisory Board for Sustainable Development. The Bundestag's Parliamentary Advisory Board for Sustainable Development, for example, can invite interest representatives and experts as witnesses for its hearings. Furthermore, one of the key objectives of the Council for Sustainable Development is to facilitate a broad public dialogue surrounding sustainable development, which it seeks to accomplish through a variety of projects and initiatives. In addition to that, the council had also pressured the federal government that it must include as many stakeholders as possible in the national sustainability strategy process.

Ultimately, interests play a critical role in shaping the impact of sustainable development in German policymaking. This rings particularly true for business interests. As Michael von Hauff and Alexandro Kleine (2009) note, the primacy of the economy is a hindrance for sustainable development in Germany. Due to their influence, powerful business interests are the critical reason for the dominance of a “weak form of sustainability” (von Hauff & Kleine, 2009, p. 241). These interests not only influenced the sustainable development policy process through the opportunities that the three institutional entities provided for stakeholders to participate in the process, they also directly lobby various ministries. For example, they have a particularly strong

influence on transportation, health, and agricultural policy (von Hauff & Kleine, 2009, p. 241).

In addition, business interests are particularly close with the Christian Democrats and the Free Democrats. Given that the Christian Democrats led the governing coalition in different constellations since 2005 and that the Parliamentary Advisory Board for Sustainable Development is generally seeking unanimity between all parties for the sake of the continuity of sustainable development policymaking, it is not surprising that business interests have had a substantial impact. As a consequence, the sustainable development institutional structure has brought about a rather weak version of sustainable development.

Contextual Factors

In addition to the institutional structure, the interest alignments, and the ideational foundation, there are several contextual factors that had the potential to impact the trajectory of sustainable development during the late 1990s and early to mid-2000s. In particular, I focus on the existence of external shocks, such as natural disasters, the state of the economy, public opinion towards the environment, and the role of ideology. Below I address each of these factors and briefly address the extent to which they seemed to have an influence on the sustainable development institution building effort by the red-green coalition.

External Shocks

Natural disasters often shift the public discussion towards sustainable development, particularly when it is possible that human intervention in nature contributed to the severity of the disaster. Overall, Germany is not very prone to severe natural disasters, like earthquakes or tornadoes, but in the early 2000s, two substantial natural disasters took place. One being the so-

called “Flood of the Century” in 2002 and the second a massive heat wave in the summer of 2003. During the 2003 heat wave, which affected all of Western Europe, almost 10,000 people died in Germany alone (Centre for Research on Epidemiology of Disasters, 2009). Nevertheless, the deadly effect of the heat wave remained mostly unknown to the general public, while the flood, which happened mere months before the 2002 election, received a substantial amount of press coverage. It was in August 2002 that several rivers overflowed due to irregularly heavy rainfall, which ultimately led to multiple dams breaking and flooding towns and cities, especially in Saxony and Saxony-Anhalt. Though the flooding also affected the neighboring Czech Republic, in Germany alone a total of 27 people died and over 300,000 were affected by it (Centre for Research on Epidemiology of Disasters, 2009). Chancellor Schröder visited the areas affected by the flood, spoke with people, reassured those volunteering to help, and promised quick and unbureaucratic help (Schwede, 2003). Political commentators noted that Schröder, who had been behind in the polls before the flooding, regained enough support at least in part due to his response to the flooding to win a second term.

State of the Economy

The state of the economy during the time that the government created the sustainable development institutional structure at the national level is another potential explanatory variable that is based on the assumption that strong economic indicators would provide the ideal condition for the establishment of a sustainable development policy regime. So was the federal government successful in creating the sustainable development institutional structure due to a particularly strong state of the economy during that time? A closer look at two key economic indicators, namely the GDP growth and the unemployment rate, suggests that the state of the

economy cannot explain why the federal government was successful in creating a sustainable development institutional structure during the early 2000s.

When we take a look at the GDP growth rate during the years when Germany accomplished several sustainable development milestones, it becomes clear that these accomplishments could not have been due to the strong economic growth during that time. Instead, they were accomplished despite the generally low rate of economic growth. For example, in 2001, when the Council for Sustainable Development and the State Secretary Committee for Sustainable Development were created, the annual economic growth was at 1.7 percent. In 2002, when the national sustainability strategy was adopted, the German GDP growth was 0 percent. Finally, in 2004, when the Parliamentary Advisory Board for Sustainable Development was initiated, the GDP growth rate was 1.2 percent (World Bank, 2017a).

The unemployment rate tells a similar story. During the years when the government created the institutional framework for sustainable development, the unemployment rate was comparatively high. According to Eurostat data, the seasonally adjusted unemployment rate in Germany increased from 7.7 percent at the beginning of 2001 to 8.1 percent at the end of 2001. Over the year during which the German national sustainability strategy was adopted, the unemployment rate increased further from 8.1 percent in January to 9.2 percent in December 2002. Then, when the Parliamentary Advisory Board for Sustainable Development was established in 2004, the unemployment rate ranged from a low of 9.8 percent to a high of 10.7 percent (Eurostat, 2017). In fact, throughout the period from 2001 to 2005—when most of the German sustainable development institutional structure was established—the unemployment rate continuously rose to its peak of 11.2 percent in mid-2005 (Eurostat, 2017).

Given these economic indicators, it becomes clear that Germany was not in a particularly strong economic state during the time that the sustainable development institutional structure was put in place at the national level. Thus, the assumption that challenging economic times undermine sustainable development policymaking does not hold true in this case. Ultimately, the economic indicators cannot explain why Germany was successful in creating a sustainable development institutional structure during the early 2000s.

Public Opinion

It has been well established that politicians are responsive to public opinion as they seek reelection. Thus, it is likely that attitudes towards the environment and environmental policy impact sustainable development policymaking. Overall, Germans have a relatively strong environmental consciousness. According to the biennial survey of environmental consciousness, a large majority supports environmental policy measures as well as the intent of environmental policymaking pursued by the red-green coalition (Umweltbundesamt, 2000). Consequently, most Germans view environmental protection as an important policy goal. Specifically, in 2000, only 6 percent viewed it as not that important or not at all important (Umweltbundesamt, 2000, p. 5). Similarly, most agree that we have reached the limits of growth and cannot continue the current path without making significant changes. Interestingly, while the concept of sustainable development remained relatively unknown with only 13 percent of Germans having heard of it before, the principles of sustainable development received overwhelmingly positive results (Umweltbundesamt, 2000, p. 68). Before most of the sustainable development institutional structure was established, 90 percent supported the principle of intergenerational justice, 83 percent favored not using up more resources than can grow back, and 77 percent endorsed fair

trade between rich and poor countries (Umweltbundesamt, 2000, p. 70). In addition, despite the fact that the Green party was part of the governing coalition and pushing for strong environmental policy, a robust majority of about three-quarters thought that the government should do more for environmental protection (Umweltbundesamt, 2000, p. 9).

Ideology

The different ideological positions of the parties represented in the Bundestag did not prevent the establishment of an institutional structure to address sustainable development. While the parties occupy different positions on the ideological spectrum, they all agree that it is necessary and worthwhile to advocate for sustainable development as a key principle of policymaking. Thus, there is a general consensus between the main parties despite their ideological differences. This consensus has played a critical role in the establishment the German sustainable development institutional structure and made the individual institutional entities durable.

The fact that there was a broad consensus between the major parties meant that there was institutional continuity—even when governing coalitions changed, the institutional structure stayed in place. Consequently, shifts in the political power balance have had limited effects on the national sustainability strategy and the sustainable development institutional bodies. For example, even though there was a shift in political power from the red-green coalition to a grand coalition between Social Democrats and Christian Democrats in 2005, the federal government continued to pursue and advance sustainable development. For the continuity of the institutional structure, it likely helped that it was a ‘soft’ shift meaning that the Social Democrats who led the previous governing coalition remained in power as a junior partner to the Christian Democrats.

By the time that power shifted to a coalition between Christian Democrats and Free Democrats in 2009, the institutional structure was well-established so that it persisted despite this more dramatic change. While these shifts likely influenced at least some of the content of the updates to the sustainability strategy, they did not lead to a reversal in the general course of action. Despite the shifts in political power, sustainable development remained a central goal of German policymaking.

Another consequence of the broad consensus, however, was that it is a weak version of sustainable development that dominates German policymaking—one that is the result of finding the least common denominator. Bringing various actors from a wide ideological spectrum together to agree on the pursuit of sustainable development has costs. Ultimately, the conservative actors who are close to business interests determine how far sustainable development policy could go, which limited its ambitions.

In Summary

An interesting picture about the impact of these four contextual factors on the trajectory of sustainable development emerges. During the time that the government established the sustainable development institutional structure, the public was concerned about environmental problems and at the same time overwhelmingly supportive of environmental policy and sustainability principles. Consequently, public opinion did not stand in the way of sustainable development policymaking. The state of the economy should have represented a challenge for the establishment of the sustainable development institutional structure, but it did not. It likely did not hurt that the government framed sustainable development as an opportunity for the German economy to set itself apart and to be a driver of innovation. In addition, two major

external shocks had the potential to redirect the sustainable development trajectory, but it does not appear that they had a major effect. The 2003 heat wave was a slow disaster that received little media coverage and the 2002 flood happened after at least part of the institutional structure was already put in place. Finally, ideology played a complex role in shaping German sustainable development policymaking. Though the major parties occupy different positions on the ideological spectrum, they all agreed that it is necessary to move sustainable development policymaking forward, which led to a durable institutional structure. However, accomplishing this consensus meant that it is a weak version of sustainable development that underlies the institutional structure.

Conclusions

The first ever red-green governing coalition at the national level prioritized the idea of sustainable development in its coalition contract and followed through on its promise when it established a set of institutional bodies to address and advance the idea. The Council for Sustainable Development, an advisory body that brings together experts and interests, and the State Secretary Committee for Sustainable Development, also known as the “green cabinet,” were both created in 2000—two years after the Social Democrats had formed the coalition government with the Green Party. These two institutional bodies along with the Bundestag’s Parliamentary Advisory Board for Sustainable Development, which was first established in 2004 with the support of the Social Democrats, the Greens, and the Free Democrats, build the institutional foundation of the German sustainable development policy regime. These three institutional bodies have played and continue to play a critical role in the development and continued advancement of the national sustainability strategy. The Council for Sustainable

Development offers its expert recommendations and the Parliamentary Advisory Board for Sustainable Development accompanies the process by commenting on the federal government's drafts and contributing its own impulses, while all information converges at the State Secretary Committee for Sustainable Development, which is the second highest decision-making body in matters relating to sustainable development, right after the cabinet itself. These three institutional entities function as a durable institutional structure in support of advancing sustainable development.

It is important to keep in mind, however, that this institutional structure does not appear to be the result of a well-planned institutional design. Instead, these organizational entities are institutional mechanisms that respond to certain governing and policymaking needs. In 1992, the United Nations had requested that its members establish national sustainability strategies. As a means of fulfilling this need, the federal government created both the Council for Sustainable Development and the State Secretary Committee for Sustainable Development to help develop such a strategy. The establishment of the Bundestag's Parliamentary Advisory Board for Sustainable Development happened several years later, which indicates that the three organizational bodies were not designed as an institutional package. Although there are some connections between them, they are clearly separate organizational entities that serve different masters and fulfill different tasks. Additionally, they also differ from one another in terms of how much power they have. While the State Secretary Committee for Sustainable Development is clearly the most important of the three as it brings together powerful politicians and has actual decision-making power, the council and the parliamentary advisory board mainly provide expertise and are very dependent on the good will of those they advise. Thus, advancing sustainable development policymaking depends a lot on the State Secretary Committee for

Sustainable Development. Given how infrequently the committee meets, it is clear that it could do much more to push for and advance sustainable development policymaking making it more of a priority and making sure that it is applied to daily politics, which it currently does not do. Consequently, while the institutional structure is durable despite several changes in political power since its inception, the degree to which it can and is willing to advance sustainable development is questionable.

On the surface, it seems like the case of German sustainable development policymaking is based on a strong and durable policy regime. The idea is taken up by the institutional structure, part of which the government has newly created with the expressed purpose of addressing sustainable development, and a broad range of interests and stakeholders are incorporated into the process, which reduces the amount of interest opposition. But as the characterization of the institutional structure already indicates, the story is much more complicated than that. It is certainly the case that the German political system encourages coalition- and consensus building, which enabled the government to establish a durable sustainable development institutional structure. However, there are also drawbacks to this set-up. While the way that the German political system is structured aids ideas that are broadly accepted, like sustainable development, to gain traction, finding a broad consensus carries with it the danger of watering down the idea itself. Additionally, some of those coming together in consensus may not be willing to put in place a structure that can actually implement the idea. Although all major parties agree that it is important and necessary to pursue sustainable development, finding a broad consensus means that the result is likely the least common denominator, i.e. a version of sustainable development that all parties and stakeholders could get on board with. This version features weak implementation mechanisms that are overwhelmingly voluntary and do not excessively burden

the business community. Thus, in this case, the only way to reach a consensus of all factions was for the more progressive parties to agree that a weak version of sustainable development was better than nothing.

Furthermore, as critics have noted, the effective implementation of sustainable development is hindered by the primacy of the economy. Business interests, which participate in the stakeholder process as well as lobby politicians, determine to a large degree what consensus is acceptable. Particularly the Christian Democrats and the Free Democrats are close to these interests. The fact that politicians think in terms of four year intervals further reinforces this problem as economic outcomes often have a more immediate impact than the long-term policies that sustainable development seeks to promote.

On the one hand, the idea of sustainable development has clearly gained traction in German policymaking as indicated by the establishment of a durable institutional structure that has the expressed purpose of addressing the idea. The broad engagement of interests in the work of these institutional entities as well as in the development of the national sustainability strategy further reinforces this perception. Based on these criteria, sustainable development provides the ideational foundation for a durable policy regime. On the other hand, however, it becomes clear that in part the sustainable development institutional structure lacks the power to make meaningful policy decisions (i.e. the Council for Sustainable Development and the Parliamentary Advisory Board for Sustainable Development), while the State Secretary Committee for Sustainable Development appears to lack the commitment to champion sustainable development.

CHAPTER 8

Resilience Gains Traction:

The Obama Administration

Following eight years of conservative leadership in the White House, the election of Barack Obama shifted the policy debate away from privatization and deregulation and towards responsible governmental intervention and regulation. As the anti-sustainable development interests, which had a tight grip on the policy debate during the George W. Bush presidency, lost ground, it seemed likely that Barack Obama would put renewed emphasis on the idea of sustainable development carrying on the work of his Democratic predecessors, specifically Jimmy Carter's attempt to put sustainable development on the policy agenda and Bill Clinton's effort to build an institutional structure in support of sustainable development policymaking. Thus, sustainable development was bound for a comeback. Instead, the idea of sustainable development moved to the background and President Obama highlighted the idea of resilience as a preferred approach to dealing with environmental harms and other threats. As discussed here, resilience is an idea that had already been part of the policy debate before Barack Obama became president, particularly in the area of national security and critical infrastructure.

President Obama used resilience to address both threats from climate change as well as other potential harms stemming from a broad variety of threats, including not just natural disasters but also terrorism, among others. While the Obama administration frequently linked these two components of resilience, perhaps as a way to increase the support for climate change actions, there was much more Republican backing for resilience efforts around natural hazards

and terrorism, especially when it was framed in terms of national security. As a consequence, the main lesson of this chapter is that how broadly ideas are framed can profoundly affect their trajectory despite strong efforts to institutionalize them. What emerges in this case is an executive branch driven climate change resilience regime of limited durability and a stronger executive and congressional basis for a regime around natural hazard and other extreme event resilience.

It is instructive to take a closer look at President Obama's embracement of resilience as a core idea for addressing climate change, natural hazards, and other threats. Examining various aspects of resilience and contrasting them with sustainable development provides the opportunity to understand whether the factors that drive or impede the trajectory of sustainable development are also at play in the case of resilience. Thus, considering resilience and the degree to which aspects of it gained traction in policymaking helps us understand the impact of the political and ideological context that shapes the boundaries of policymaking in the United States. The conclusions that can be drawn from this analysis allow for the drawing of more general inferences about the impact of the political and ideological context on ideas in U.S. policymaking.

Overall, sustainable development is a much more polarizing idea than resilience. For resilience, the degree of traction it gained largely depended on how it was conceptualized. When it is defined in terms of climate resilience, the idea faces similar hurdles as sustainable development. Congressional Republicans opposed President Obama's attempt of building an institutional structure based on the idea of resilience because he tied it to climate change. In contrast, Republicans were more willing to support some resilience legislation addressing natural and other extreme events.

Ideational Foundation of Resilience

During the Obama presidency, the idea of resilience gained a substantial amount of traction. Sustainable development, on the other hand, had continuously lost traction since George W. Bush became president in 2000 and never regained the amount of attention it received under President Clinton. Particularly early on, the Obama administration continued to use the idea of sustainability, but it quickly became clear that it was on the back burner. For example, in his second inaugural address, which he delivered in January 2013, President Obama relied on both ideas, but made a point to emphasize the importance of resilience:

We, the people, still believe that our obligations as Americans are not just to ourselves, but to all posterity. We will respond to the threat of climate change, knowing that the failure to do so would betray our children and future generations. Some may still deny the overwhelming judgment of science, but none can avoid the devastating impact of raging fires and crippling drought and more powerful storms. (Obama, 2013)

The beginning of the quote alludes to the idea of sustainability as President Obama stresses the concept of intergenerational justice, yet he ends his thought by making a case for action that does not require his listeners to agree on whether they believe climate change exists and whether it is caused by human actions. Emphasizing the importance of responding to natural disasters that undoubtedly exist, whether we can agree on their causes or not, should lower the threshold for policy action and broaden the support for resilience policies.

Later in 2013, resilience provided the ideational foundation for Executive Order 13653, which defines it as the “ability to anticipate, prepare for, and adapt to changing conditions and withstand, respond to, and recover rapidly from disruptions” (Executive Order No. 13653, 2013). The related idea of adaptation was also used in the executive order, which specifies it as an “adjustment in natural or human systems in anticipation of or response to a changing

environment in a way that effectively uses beneficial opportunities or reduces negative effects” (2013). As these definitions underscore, both resilience and adaptation emphasize the response to a changing environment, environmental disruptions, and other threats, not preventing these changes and disruptions from taking place in the first place. In an article he wrote for *Foreign Policy*, environmental futurist Jamais Cascio underscores this point arguing that resilience “accepts that change is inevitable and in many cases out of our hands, focusing instead on the need to be able to withstand [and overcome] the unexpected” and “our ability to withstand crises” (2009). Cascio lists the principles of resilience—diversity, redundancy, decentralization, collaboration, transparency, failing gracefully, flexibility, and foresight—and contrasts the ideas of resilience and sustainability, the latter of which he argues is “inherently static” (2009). In the context of U.S. policymaking, resilience includes both climate resilience and hazard mitigation.

A number of scholars have pointed out that the idea of resilience has been gaining in importance under President Obama. For example, research fellow Sabine Selchow from the London School of Economics emphasizes that the idea is more prominent in the public communication of President Obama than it has been under all of his predecessors combined (Selchow, 2017, p. 1). Specifically, “as of 31 August 2014, *resilient* was used in 164 of Obama’s public papers (equals 2.89% of the total number of his papers) and *resilience* in 298 public papers (equals 5.25% of the total number of his papers)” (Selchow, 2017, p. 3). Furthermore, at the end of Obama’s first term in office, Geography Professor Katrina Brown (2011) published the article “Policy discourses of resilience” in which she discusses how resilience has risen to the top of the policy agenda.

Given this evidence, it is clear that the idea of resilience gained a substantial amount of traction during the Obama presidency though it was already in use beforehand. There are several

reasons for the idea's increased resonance. Most importantly, it has a practical orientation that does not require any consensus about the cause of environmental problems and natural disasters for policy actors to agree on the need for addressing these threats. In addition, resilience does not force tradeoffs between the environment and the economy, as is the case for sustainable development. Finally, it fits the ethos of grounding threats as matters of national security, which is generally less divisive of a policy area than environmental policymaking. Based on these characteristics, resilience appears to be a promising ideational basis for a strong policy regime aimed at lessening the impacts of various harms.

Obama Administration Institutionalization of Resilience

President Barack Obama made a concerted effort to build an institutional structure that embraced the idea of resilience as a central component of efforts of federal agencies. Given the fact that Republicans controlled Congress for a significant part of the Obama presidency and that they generally opposed most of President Obama's policy advances, it may not be surprising that he heavily relied upon executive orders in his institution building efforts. Through executive orders, the Obama administration created numerous federal entities to support and implement resilience efforts.

This section takes a closer look at the institutional structure that President Obama created in his attempt to establish a foundation for an encompassing set of federal resilience efforts. First, I introduce the institutional bodies that President Obama established to address resilience, including both those addressing climate change resilience and extreme event resilience. Then, I elaborate on the overall strategy and goals of the institutional structure. Finally, I examine the

degree to which stakeholders were engaged in the resilience policymaking process through this institutional framework.

Climate Change Resilience Federal Entities

Throughout his time in office, President Obama made efforts to incorporate climate change resilience into the work of the federal government. To that end, he created a variety of institutional bodies, which are included in Table 8.1. In the first few months of being president, Obama created the Interagency Climate Change Adaptation Task Force, which was later replaced by the Council on Climate Preparedness and Resilience. In addition to these two institutional bodies, which engaged all federal agencies, President Obama established the State, Local, and Tribal Leaders Task Force on Climate Preparedness and Resilience. This task force supplied the federal government with recommendations for how communities can become more resilient to climate change.

Interagency Climate Change Adaptation Task Force. The Interagency Climate Change Adaptation Task Force began meeting in the Spring of 2009. The task force was co-chaired by the Council on Environmental Quality (CEQ), the Office of Science and Technology Policy (OSTP), and the National Oceanic and Atmospheric Administration (NOAA). Its members came from more than twenty federal agencies and executive branch offices. Thus, they all came from within the executive branch. In October 2009, President Obama signed Executive Order 13423, directed the task force to recommend ways that the federal government can prepare the country for climate change. What is more, it “created the framework for coordinated Federal action on climate preparedness and resilience, driving agency-level planning and action” (Executive Order

Table 8.1: Institutionalization of Climate Change Resilience under President Obama

Year	Step	Description
Spring 2009	Interagency Climate Change Adaptation Task Force	Existed from 2009 to 2013 (terminated by EO 13653 & replaced by the Council on Climate Preparedness and Resilience); co-chaired by CEQ, OSTP, & NOAA; members come from more than 20 federal agencies; “created the framework for coordinated Federal action on climate preparedness and resilience, driving agency-level planning and action” (EO 13653); annual progress reports (2010, 2011)
October 2009	Executive Order 13514	“Federal Leadership on Climate Change and Environmental Sustainability” – sets sustainability goals for federal agencies; directed Interagency Climate Change Adaptation Task Force to recommend ways that the federal government can prepare for climate change
November 2013	Council on Climate Preparedness and Resilience	Established by Executive Order 13653 , comprises more than 25 agencies. Among other things, was directed to coordinate interagency efforts on and track implementation of priority federal government actions related to climate preparedness and resilience and implement, as appropriate, recommendations of the State, Local, and Tribal Leaders Task Force on Climate Preparedness and Resilience .
November 2013	Executive Order 13653	Among other things, directed federal agencies to develop or update comprehensive adaptation plans describing how each agency will consider the need to improve climate adaptation and resilience. Terminated the Interagency Climate Change Adaptation Task Force and established the Council on Climate Preparedness and Resilience .
November 2014	President’s State, Local, and Tribal Leaders Task Force on Climate Preparedness and Resilience	Provided recommendations on how the federal government can respond to the needs of communities nationwide that are dealing with the impacts of climate change by removing barriers to resilient investments, modernizing federal grant and loan programs, and developing the information and tools they need to prepare, among other measures. Issued recommendations to the President and Council on Climate Preparedness and Resilience , including requiring consideration of climate change risks and vulnerabilities in all federal activities, maximizing opportunities that offer co-benefits, and strengthening coordination and partnerships across government entities. Ended 6 months after submitting its recommendations.
March 2015	Executive Order 13693	Revoked Executive Order 13514 and addressed federal leadership in sustainability with respect to energy, environmental water, fleet, buildings, and acquisition management to support preparations for the impacts of climate change.

Source: Adapted from GAO report 16-454 (2016)

No. 13653, 2013) and documented its work in regular progress reports.¹ Right before it was terminated by the president, the task force “provided recommendations for elements that should be included in a national climate change adaptation strategy, including prioritization of risks, coordination, performance evaluation, and maximization of mutual benefits in related efforts, such as disaster preparedness” (GAO, 2016, p. 25). Overall, the Interagency Climate Change Adaptation Task Force existed from 2009 to 2013 until it was revoked by Executive Order 13653.

Interagency Council on Climate Preparedness and Resilience. The Executive Order that ended the Interagency Climate Change Adaptation Task Force also created the Interagency Council on Climate Preparedness and Resilience, thereby effectively replacing the former with the latter. The council was co-chaired by the chair of the Council on Environmental Quality (CEQ), the director of the Office of Science and Technology Policy (OSTP), and the assistant to the President for Homeland Security and Counterterrorism. The inclusion of the latter as a co-chair illustrates the administration’s broad approach to resilience that goes beyond assessing a single threat to the nation. The membership of the council is comprised of representatives from more than twenty-five different federal agencies, including senior staff from the Department of State, the Department of the Treasury, and the Department of Defense. A subset of its membership makes up a steering committee, which along with the co-chairs can establish working groups. Executive Order 13653 notes that the council’s tasks are to “develop, recommend, coordinate interagency efforts,” “support regional, State, local, and tribal action,” “facilitate the integration of climate science in policies and planning of government agencies and the private sector” (Executive Order No. 13653, 2013).

¹ One progress report was published in 2010 and one in 2011.

Task Force of State, Local, and Tribal Leaders on Climate Preparedness and Resilience.

To engage the various stakeholders at the different levels of government, Executive Order 13653 also established the Task Force of state, local, and tribal leaders on Climate Preparedness and Resilience co-chaired by the director of the White House Office of Intergovernmental Affairs and the chair of the Council on Environmental Quality (CEQ). Through the task force, the government was enabled to better respond to local needs. The membership was made up of elected state, local, and tribal officials who were invited to become members by the co-chairs. The task force was responsible for making recommendations to the president and the Interagency Council on Climate Preparedness and Resilience within one year its establishment. The recommendations were meant to provide input regarding how government can “remove barriers, create incentives, and otherwise modernize Federal programs to encourage investments, practices, and partnerships that facilitate increased resilience,” “provide useful climate preparedness tools and actionable information,” and “support state, local, and tribal preparedness for and resilience to climate change” (Executive Order No. 13653, 2013). After it made its recommendations, the task force was dissolved.²

Extreme Event Resilience Federal Entities

In addition to the various federal entities that President Obama created to address climate change resilience, he also established some institutional entities to deal with extreme event resilience (cf. Table 8.2). Following one such extreme event, for example, President Obama initiated the Hurricane Sandy Rebuilding Task Force. To incorporate extreme event resilience into the work of the federal government more broadly, President Obama put in place the

² No later than 6 months after making recommendations.

Table 8.2: Institutionalization of Hazard Resilience under President Obama

Year	Step	Description
Sept. 2011	National Disaster Recovery Framework	Defines: 1) eight <i>principles</i> that <i>guide recovery</i> core capability development and recovery support activities under the NDRF, 2) <i>roles</i> and <i>responsibilities</i> of recovery coordinators and other stakeholders, 3) a <i>coordinating structure</i> that facilitates communication and collaboration among all stakeholders, guidance for pre- and post-disaster recovery <i>planning</i> and; 4) the overall process by which communities can capitalize on opportunities to rebuild stronger, smarter and safer.
Dec. 2012	Hurricane Sandy Rebuilding Task Force	Established by the President; comprised officials from federal agencies and executive branch offices. Tasked with identifying and working to remove obstacles to resilient rebuilding while taking into account existing and future risks and promoting the long-term sustainability of communities and ecosystems in Hurricane Sandy-affected regions. Issued 69 recommendations to enhance disasters resilience, among other purposes.
May 2013	National Mitigation Framework (NMF)	Established a common platform for coordinating and addressing how the nation manages risk through mitigation. Described mitigation roles and addressed how the nation will lessen the impact of disaster by developing, employing, and coordinating core mitigation capabilities to reduce loss of life and property.
March 2011	Presidential Policy Directive 8: National Preparedness	Directed the development of a national preparedness goal that identifies the core capabilities necessary for preparedness and a national preparedness system; “aimed at strengthening the security and resilience of the United States through systematic preparation for the threats that pose the greatest risk to the security of the nation, including acts of terrorism, cyber attacks, pandemics, and catastrophic natural disasters” (DHS); Elements: 1) national preparedness goal, 2) national preparedness system, 3) National Planning Frameworks and Federal Interagency Operational Plans; 4) annual National Preparedness Report; coordinated by DHS, specifically FEMA
Oct. 2013	Mitigation Framework Leadership Group (MitFLG)	Established by the National Mitigation Framework and serves an intergovernmental coordinating body created to integrate federal efforts and promote a national cultural shift that incorporates risk management and hazard mitigation in all planning, decision making, and development. Is responsible for overseeing the implementation of the National Mitigation Framework.
Jan. 2015	Executive Order 13690	Established federal flood risk management standard to increase resilience against flooding & ensure that projects federal agencies fund with taxpayer dollars last as long as intended. Among other things, this Executive Order directed agencies to have federally funded projects meet a certain elevation level, using approaches that are designed to recognize and incorporate future conditions rather than rely solely on existing data and information.

Source: Adapted from GAO report (16-454)

Mitigation Framework Leadership Group. Below I briefly discuss both of these institutional entities.

Hurricane Sandy Rebuilding Task Force. Following the devastating Hurricane Sandy, which particularly affected New York and New Jersey, President Obama created the Hurricane Sandy Rebuilding Task Force. Like the Interagency Climate Change Adaptation Task Force, this task force brought together representatives from various federal agencies and executive branch offices. Chaired by the Secretary of Housing and Urban Development, the president had tasked the group “with identifying and working to remove obstacles to resilient rebuilding while taking into account existing and future risks and promoting the long-term sustainability of communities and ecosystems in Hurricane Sandy-affected regions” (GAO 2016, p. 25). In total, the task force made 69 recommendations to enhance the resilience of the region to future disasters. While the task force focused on the region affected by Hurricane Sandy, the rebuilding strategy it released is also meant to serve as a model for other communities around the country that face risks from extreme weather (U.S. Department of Housing and Urban Development, 2013).

Mitigation Framework Leadership Group. Finally, following a suggestion from the Governmental Accountability Office (GAO), the federal government created an intergovernmental coordinating body “to integrate federal efforts and promote a national cultural shift that incorporates risk management and hazard mitigation in all planning, decision making, and development” (GAO, 2016, p. 24). The Mitigation Framework Leadership Group brought together federal, state, local, tribal and territorial representatives. The group is responsible for supervising the National Mitigation Framework, which is “a common platform for coordinating and addressing how the nation manages risk through mitigation” (GAO, 2016, p. 25), and is tasked with the development of a National Mitigation Investment Strategy.

Overarching Strategy & Goals

These various entities had two overarching goals: 1) to provide recommendations for the incorporation of resilience into the work of the federal government and 2) to coordinate the resilience efforts of all federal agencies. In terms of the specific approach to resilience and disaster response, the federal government focused on strengthening community cohesion to allow communities to respond more effectively to disasters as well as rebuilding in a way that bolstered resilience to future disasters. For example, the Interagency Climate Change Adaptation Task Force focused on both of these goals as it “created coordinated action on climate preparedness and resilience, driving agency-level planning and action” (Executive Order No. 13653, 2013). as well as offered “federal recommendations for adapting to climate change impacts” (GAO, 2016, p. 25). The Hurricane Sandy Rebuilding Task Force was entrusted with making recommendations to advance resilience to disasters, particularly through the effort of rebuilding from a previous disaster. The State, Local, and Tribal Leaders Task Force on Climate Preparedness and Resilience “provided recommendations on how the federal government can respond to the needs of communities nationwide” (GAO, 2016, p. 24). Based on all of these recommendations, the Council on Climate Preparedness and Resilience “coordinate[d] interagency efforts on and track implementation of priority federal government actions related to climate preparedness and resilience” (GAO, 2016, p. 24). The Mitigation Framework Leadership Group was also designed to integrate federal efforts and to implement the National Mitigation Framework.

The National Mitigation Framework (2013) along with the Presidential Policy Directive 8 (2011) laid out the overarching strategy and goals for addressing resilience and preparedness during the Obama presidency. Presidential Policy Directives announce Presidential decisions on

national security matters. According to Presidential Policy Directive 8 (PPD-8), which the Obama administration published in March 2011, the goal of the administration was “a secure and resilient nation with the capabilities required across the whole community to prevent, protect against, mitigate, respond to and recover from the threats and hazards that pose the greatest risk” (FEMA, 2017a). Following this policy directive, the federal government developed a national preparedness goal that identified 32 core capabilities, including community resilience, critical transportation, and cybersecurity (FEMA, 2017b). The capabilities can be grouped into five broader categories, namely prevention, protection, mitigation, response, and recovery (GAO, 2016, p. 21). To implement the goal the federal government established a national preparedness system, National Planning Frameworks, Federal Interagency Operational Plans, and an annual National Preparedness Report. Two years later, in 2013, President Obama announced Presidential Policy Directive 21 regarding critical infrastructure security and resilience, thereby reinforcing the placement of the idea of resilience in the national security realm.

The National Mitigation Framework “established a common platform for coordinating and addressing how the nation manages risk through mitigation” (GAO, 2016, p. 25). Through the framework, the federal government seeks to reduce the impact of various types of disasters by establishing core mitigation capabilities. The GAO describes the National Mitigation Framework as the U.S. national strategy for resilience. It was the Department of Homeland Security that created the framework in 2013 as a response to President Obama’s Presidential Policy Directive 8. Following both Hurricane Sandy and the Presidential Policy Directive 8, the federal government also created the National Disaster Recovery Framework, which “provides guidance on building resilience to future disasters during the recovery process” (GAO, 2016, p. 21).

As this overarching strategy anchored in the national security institutional structure indicates, the Obama administration pursued resilience in a broad national security context instead of focusing narrowly on climate resilience though Obama tied the latter to the former. By including a variety of potential threats in resilience policymaking, Obama focused the attention of the federal government to the adaptation to and mitigation of various threats, including extreme weather and terrorism. By aligning climate change adaptation with broader resilience, President Obama likely sought to enlarge the support basis for climate resilience policymaking.

Engaging Stakeholders

The institutional structure that President Obama established to address resilience and to incorporate the idea into policymaking, reflects his background as a community organizer. Obama's work as a community organizer "may well have shaped how he built an administration focused on the human side of disaster preparedness and response" (Revkin, 2016 referencing Klinenberg, 2013). The community organizing approach to resilience policymaking means that the federal government is partnering with and empowering local communities to strengthen their resilience to threats. That means the Obama administration focused on engaging the stakeholders that would be affected by potential disasters, such as extreme weather and terror attacks, to bolster community cohesion and thereby their preparedness and response to such disasters. Thus, engaging stakeholders into resilience policymaking was a critical component of the Obama administration's approach. Each of the institutional bodies involved interests to some degree.

The Interagency Climate Change Adaptation Task Force, for example, "conducted numerous listening sessions and public outreach events with a wide range of stakeholders" (The White House Council on Environmental Quality, 2010, p. 9). Specifically, "discussions were

held with state, Tribal, regional, and local government officials, domestic and international non-governmental organizations (NGOs), scientists, academia, industry groups, and others” (The White House Council on Environmental Quality, 2010, p. 9). Thus, the Interagency Climate Change Adaptation Task Force engaged a broad variety of interests in its work, later on the Interagency Council on Climate Preparedness and Resilience continued this strategy. The federal agency representatives, who were members of the council, worked with other governmental stakeholders, namely state, local and tribal governments, and non-governmental interests, including academic and research institutions as well as private and non-profit organizations. The Task Force of State, Local, and Tribal Leaders on Climate Preparedness and Resilience directly engaged local governmental leaders, who represent one important group of stakeholders. As its name implies, the Task Force of State, Local, and Tribal Leaders on Climate Preparedness and Resilience brought together elected officials from various levels of government to get their feedback on how to advance resilience at the local level.

In addition to a review of research and data as well as the development of recommendations, stakeholder engagement is one of the Mitigation Framework Leadership Group’s key foci (FEMA, 2017a). Consequently, it made a concerted effort to incorporate various interests in its work “to ensure [that] the [National Mitigation Investment] Strategy [it was working on] is inclusive and reflective of the perspectives of diverse public and private partners” (FEMA, 2017a). Specifically, the group was interested in engaging private businesses, citizens, vulnerable and at-risk populations, critical infrastructure sectors, and non-profit, academic, and philanthropic organizations in a dialogue about a variety of resilience topics, such as the coordination of disaster risk management and private sector involvement in resilience finance.

The federal government also stressed community and stakeholder involvement through the Presidential Policy Directive 8, which concentrated on national preparedness: “A focus on involving the whole community in PPD-8 activities is what makes this effort unique. Because when it comes to national preparedness, all of us have a role to play.” (FEMA, 2017a) Thus, through the policy directive, President Obama “call[ed] on federal departments and agencies to work with the whole community to develop a national preparedness goal and a series of frameworks and plans related to reaching the goal” (FEMA, 2017a).

Summing Up

President Obama created a number of new institutional bodies to advance the idea of resilience and to incorporate it into the work of the federal government. Several of the newly created institutional bodies were task forces that only existed temporarily as they developed recommendations for the President and the Council on Climate Preparedness and Resilience. In addition to supplying recommendations for resilience policymaking, the newly created institutional framework coordinated federal agencies in support of the policy idea of resilience and sought to engage stakeholders in the process of resilience policymaking. The involvement of interests and in particular the affected communities themselves was grounded on a community organizing approach that acknowledges the need for community cohesion to strengthen disaster preparedness. Assessing President Obama’s effort to build an institutional structure on the idea of resilience makes clear that he sought to address both climate resilience and the more general idea of threat resilience. In fact, the Obama administration often linked the two, but there was much more congressional support for the latter.

Table 8.3: Power Balance in Congress during the Obama presidency

	House			Senate		
	Control	Democrats	Republicans	Control	Democrats	Republicans
111 th Congress	Democrats	255	179	Democrats	59*	41
112 th Congress	Republicans	193	242	Democrats	53*	47
113 th Congress	Republicans	201	234	Democrats	55*	45
114 th Congress	Republicans	188	247	Republicans	46*	54

** Includes two independents who caucus with the Democrats.*

Congressional Disjunctive Embrace of Resilience

President Obama started his first term with a Democratically-controlled Congress. From 2009 to 2010, both the House of Representatives and the Senate had a Democratic majority after Democrats picked up seats in both houses in the 2008 election. As happens frequently, however, Democrats suffered losses in the first midterm election following the inauguration of Barack Obama. As a consequence, Democrats lost control of the House of Representatives in 2011 though they maintained their power in the Senate despite losing five seats. In the 2014 midterm election Democrats lost control of the Senate as well. Thus, the longer the Obama presidency lasted, the more the power balance in Congress shifted away from Democrats and towards Republicans, which limited the president's room to maneuver. Given that the pronounced goal of Republicans was to defeat President Obama disregarding any specifics of policymaking (Capehart, 2012),³ their increasing political power reduced the chances of passing bipartisan legislation.

³ For example, in October 2010, Senate Minority Leader Mitch McConnell said: "The single most important thing we want to achieve is for President Obama to be a one-term president." (see for Capehart, 2012)

This point of departure likely forced President Obama to focus his resilience policy efforts on the workings and procedures of the federal agencies that were under his leadership. Despite the fact that Republicans gained power in Congress and were set to oppose President Obama's agenda, there were some bipartisan resilience policy efforts in Congress. It is important to note though that Congress focused on some aspects of resilience policymaking, while ignoring others. Specifically, there was congressional support for the national security and disaster related aspects of resilience, but not for the climate related aspects.

Legislative Activity Relating to Resilience

Despite congressional Republicans' focus on opposing President Obama, who clearly pursued resilience policy, Congress did take up resilience and passed at least some legislation in a bipartisan fashion. As Table 8.4 indicates, there was a relatively substantial number of "resilience"-related legislative activity in Congress throughout the Obama presidency. Even though Democrats lost political influence in Congress during the Obama presidency, the number of resilience-related bills introduced into Congress as well as the number of those bills that became law increased over time. Furthermore, it is particularly interesting to contrast the legislative activity addressing "hazard mitigation" with that dealing with "climate resilience"—two concepts that are both closely tied to overall resilience policy. While Congress passed a total of 24 bills relating to "hazard mitigation" that President Obama then signed into law, not one piece of legislation dealing with "climate resilience" became law throughout the Obama presidency.

Overall, there was quite a substantial amount of legislative activity relating to resilience, although only a small fraction of the legislation that was introduced actually became law—as

Table 8.4: Introduced Legislation Relating to Resilience and Sustainable Development (Count)

Congress	“resilience” / “resiliency”		“hazard mitigation”		“climate resilience”	
	Introduced	Became Law	Introduced	Became Law	Introduced	Became Law
111 th (2009-2010)	139	7	32	9	4	0
112 th (2011-2012)	150	5	30	2	1	0
113 th (2013-2014)	204	13	39	5	3	0
114 th (2015-2016)	290	15	51	8	8	0
Total (Count)	783	40	152	24	16	0
Total (Percent)	100	5.11	100	15.79	100	0

often is the case. The legislation that was eventually signed into law shows a significant level of bipartisan support. Of the 40 pieces of “resilience” legislation that became law, Republicans introduced 24 and Democrats 16. Almost half of the legislation had both Republican and Democratic co-sponsors. Of the remaining half, most either had no or just one co-sponsor; thus, it is difficult to assess whether they were partisan or just inconsequential. Among the legislative efforts that did not make it past the introductory stage, there are both bipartisan and partisan pieces of legislation. For example, the Drought Recovery and Resilience Act of 2015 (H.R.2983) was introduced by a Democrat and had only Democratic co-sponsors, but the Disaster Savings and Resilient Construction Act of 2015 (H.R.3397), which was introduced by a Republican, had co-sponsors from both parties. This shows that both parties are generally open to supporting the idea of resilience depending on the actual content of the bill. This stands in a stark contrast with the congressional response to the idea of sustainable development, which was highly partisan and received little to no support from congressional Republicans.

Beyond “resilience” legislation itself, it is instructive to examine “hazard mitigation” and “climate resilience” legislation—both of which are related to “resilience” legislation. The legislation related to “hazard mitigation” reveals a level of bipartisanship that “sustainable

development” legislation and “climate resilience” legislation for that matter lacks. Of the 24 “hazard mitigation” bills that became law during the Obama presidency, 13 were introduced by Republicans and 11 by Democrats. Half of them had more than one co-sponsor and of those twelve pieces of legislation, eight had both Democrats and Republicans as co-sponsors. A close look at one of these bills reinforces the assessment that hazard mitigation finds supporters among both Democrats and Republicans. The Predisaster Hazard Mitigation Act of 2010 (H.R.1746), which amends the Robert T. Stafford Disaster Relief and Emergency Assistance Act, was introduced into the House of Representatives by Democrat James L. Oberstar. The bill was co-sponsored by two Republicans and one Democrats and during the roll call vote 339 representatives supported the bill, while only 56 did not.

In contrast, the legislative activity relating to “climate resilience” is much more polarized. For one, it was almost entirely driven by Democrats as they introduced ten of the twelve pieces of “climate resilience” legislation. In addition, only two of the twelve proposed bills and resolutions had co-sponsors from both parties. The two bills that did have bipartisan co-sponsorship were S.1183 (111th Congress) and S.1023 (112th Congress), both of which addressed reforestation in Haiti. It was not until the 114th Congress that Republicans started introducing legislation dealing with climate resilience. Not surprisingly, the two pieces of legislation that Republicans introduced then were in opposition to the idea.

Congressional Response to President Obama’s Resilience Efforts

The congressional response to President Obama’s efforts to institutionalize resilience was also disjunctive with clear rejection of any effort around climate resilience but tacit to stronger support of other aspects of resilience. Given the power balance in Congress during the years that

Obama was in office and the fact that the president had to resort to executive action to move resilience policy forward, it may not come as a surprise that Congress had a negative response towards a significant portion of the President's actions despite the fact that Congress did pass some bipartisan "resilience" legislation. When it came to directly responding to President Obama's efforts, congressional Republicans sought to hinder the President's actions.

For example, when the House of Representatives discussed defense spending for 2015, Representative Tom McClintock offered an amendment to the proposed bill to limit what the funding may be used for. Specifically, the McClintock amendment "prohibits funds from being used to carry out specified sections of [...] Executive Order 13514,"⁴ which had "called for federal agencies to participate in the [...] Interagency Climate Change Adaptation Task Force" (Executive Order 13514, 2009). When the amendment was discussed on the floor of the House of Representatives, Rep. McClintock noted that it was meant to prevent "the military [from] squandering billions of dollars on so-called green energy" (Congressional Record – House, 2014, p. H5539). The Department of Defense Appropriations Act of 2015 (H.R.4870) passed the House of Representatives including the McClintock amendment. However, the eventual bill (H.R.83) agreed upon by both the House and the Senate and signed by President Obama did not include the amendment. Nevertheless, the fact that the initial House version of the bill passed with the amendment illustrates the opposition that President Obama faced from Representatives when it comes to his resilience policy efforts.

There are other legislative activities that further underscore this point. During the 114th Congress, Republicans introduced a concurrent resolution in the House of Representatives "expressing the sense of Congress opposing the President's proposed Coastal Climate

⁴ "None of the funds made available by this Act may be used to carry out any of the following: (2) Sections 2(a), 2(b), 2(c), 2(f)(iii-iv), 2(h), 7, 9, 12, 13, or 16 of Executive Order 13514."

Resilience Program” (H.Con.Res.136), which is a 10-year, \$2 billion program to assist communities in their preparations for climate change. While this resolution did not make it past the introductory stage, it hints at the Republican opposition to climate resilience policy efforts. Furthermore, Republicans introduced “legislation that would hamper resilience” (GAO, 2016 p. 17), such as the Wasteful EPA Programs Elimination Act of 2015 (H.R.2111), which would have restricted federal funding for the EPA as it noted that funds may not be used for the Climate Resilience Fund and the Climate Resilience Evaluation Awareness Tool, among other EPA programs.

But there was also some support for President Obama’s resilience efforts in Congress, even among Republicans. Republican Senator Susan Collins of Maine co-sponsored the Department of Homeland Security Authorization Act of 2012 (S.1546) introduced by Senator Joe Lieberman. The proposed bill would have “require[d] the President to ensure that comprehensive plans exist to prevent, prepare for, protect against, respond to, and recover from natural disasters, acts of terrorism, and other man-made disasters, including catastrophic incidents.” Specifically, it would have “direct[ed] the Secretary of [the Department of Homeland Security] to designate a senior official within FEMA to be responsible for catastrophic incident planning.” Democrats in Congress were also supportive of the President’s actions. In particular, they suggested the creation of additional institutional bodies to add to the resilience institutional framework. Specifically, they proposed the establishment of a Climate Change Advisory Commission (S.2860 in the 114th Congress) and an Interagency Task Force on Short-Lived Climate Pollutant Mitigation (S.2911 in the 113th Congress and S.2076 in the 114th Congress).

In Summary

The picture of the role of Congress in resilience policymaking during the Obama presidency that emerges is disjunctive. In contrast to sustainable development, Congress appears more amenable to some aspects of resilience. During the Obama presidency, Congress passed several bills relating to resilience with bipartisan support. This is particularly true for “hazard mitigation” legislation, as a substantial amount of that legislation eventually passed Congress with bipartisan support. However, the partisan polarization in Congress remains apparent when its members consider “climate resilience” legislation.

Contextual Factors Affecting Support for Resilience Efforts

In addition to the components of a policy regime—the ideational foundation, the institutional arrangements, and the interest alignments, it is useful to consider a number of contextual factors, as they have the potential to impact whether or not an idea gains traction in the policy process. In particular, I examine the role of external shocks, the state of the economy, public opinion, and ideology. Following, I consider these variables in turn and evaluate their impact on resilience policymaking during the Obama presidency.

External Shocks

External shocks have the potential to redirect the policy debate. Again and again, severe weather phenomena lead to a renewed debate about the climate and how we can more effectively respond to these kinds of events. During the Obama presidency, there were a number of natural disasters. In his third year in office, in October 2011, *ABC News* noted that President Obama “declared a record-breaking 89 disasters so far in 2011” even though the year was not over at

that point (Bingham, 2011). What is more, “Obama has declared more disasters — 229 — in the first three years of his presidency than almost any other president signed in their full four-year terms” (Bingham, 2011). According to the disaster database, the United States was affected by a total of 121 meteorological disasters from the beginning of 2009 to the end of 2016, which includes various storms as well as extreme temperature (Centre for Research on the Epidemiology of Disasters, 2009). In addition, there were 26 droughts or wildfires, 3 earthquakes, 32 floods, and 1 landslide (Centre for Research on the Epidemiology of Disasters, 2009).

Hurricane Sandy was undoubtedly the most severe natural disaster that occurred during the Obama presidency. In 2012, Hurricane Sandy moved onshore near Atlantic City, New Jersey. Up until that point, it was the largest Atlantic hurricane on record in terms of its diameter. According to the National Weather Service, the storm that affected a total of 24 states including the entire eastern seaboard was very costly as the damage equaled about \$75 billion (2013). Following the storm, Sandra Erwin speculated in the *National Defense Magazine* that Sandy “might cause a rethinking (in the USA) of how climate change threatens national security” (2012). But was that actually the case? Did the storm have an effect on resilience policymaking?

Hurricane Sandy had a clear effect on the actions of the Obama administration, which established the Hurricane Sandy Rebuilding Task Force following the storm to make recommendations for resilient rebuilding. Additionally, the amount of resilience legislation that was introduced in Congress during Obama’s second term was higher than in his first. Congress also passed several pieces of legislation related to Hurricane Sandy, most notably H.R.152, an appropriations measure “to improve and streamline disaster assistance for Hurricane Sandy”

(2013). Interestingly, a large number of Republicans opposed the measure.⁵ Thus, Congress also had a difficult time reaching a consensus on immediate disaster relief legislation following the storm even though this type of legislation had previously been a non-partisan issue. Though it led to some disaster relief legislation as well as the creation of an executive level task force, Hurricane Sandy did not appear to significantly shift the policy debate in favor of resilience. While President Obama tied climate change to the occurrence of Hurricane Sandy (The New York Times, 2012), Republicans in Congress remained opposed to climate resilience. Thus, although external shocks like Hurricane Sandy have the potential to trigger policy change, particularly in the area of disaster relief and climate preparedness, their occurrence did not significantly shift the political discussion during the Obama presidency.

The State of the Economy

No matter the policy issue, the state of the economy always has the potential to change the trajectory of an idea. If the economy is in a recession, policy entrepreneurs will prioritize economic policymaking in order to get the economy back on track. Environmental issues often lose out vis-à-vis economic ones. In contrast to environmental issues, national security issues have a better chance to gain traction even during challenging economic times. So, what was the state of the economy during the Obama presidency?

President Obama entered office facing a severe economic and financial crisis. As a consequence, he was preoccupied with saving the banks and the auto industry as well as passing an \$800 billion stimulus package and the 2010 Dodd-Frank Wall Street Reform and Consumer Protection Act, which left little time and political capital to move forward on other policy issues.

⁵ 179 in the House of Representatives and 36 in the Senate (<http://clerk.house.gov/evs/2013/roll023.xml> and https://www.senate.gov/legislative/LIS/roll_call_lists/roll_call_vote_cfm.cfm?congress=113&session=1&vote=00004).

During the latter part of the Obama presidency, the economic situation improved substantially, but so did Republican power in Congress. While the GDP decreased in the first two quarters of 2009, it increased every single quarter after that with the exception of the first quarters of 2011 and 2014 (Bureau of Economic Analysis, 2017). Similarly, the unemployment rate was particularly high at the beginning of Obama’s first term as president and then continuously decreased during his second term. In July 2009, 9.5 percent of Americans were listed as unemployed while only 4.9 percent were listed in July 2016 (Trading Economics, 2017f). Also in 2016, the New York Times noted, “the private sector has added jobs for 73 consecutive months — some 14.4 million new jobs in all — the longest period of sustained job growth on record” (Sorkin, 2016).

Overall, the economy steadily improved throughout the Obama presidency as all of these economic indicators illustrate. Nevertheless, the fact that the economy bounced back after the so-called Great Recession did not lead to a more successful institutionalization of resilience at the federal level, although there was a slight increase in resilience legislation.

Public Opinion

Given that elected officials generally seek reelection, public opinion is another factor that may impact the chances of successfully moving resilience policy forward. As numerous public opinion polls indicate, there was substantial public support for policies addressing climate change and other environmental problems. However, the economy remains a top priority for most Americans. According to the Pew Research Center, 87 percent of Americans saw strengthening the economy as one of the top priorities in 2011 (Pew Research Center, 2011). Other surveys reinforce this assessment as they showed that economic issues are consistently

ranked as higher priorities than environmental issues. Additionally, in the context of resilience policymaking, it is also instructive to consider how much of a priority national security is for the American public. A 2014 USA Today poll shows that Americans view national security has a top priority, right behind job creation (Polling Report, 2017). Although, other polls conducted between 2010 and 2013 rank it much lower (Polling Report, 2017).

When it comes to environmental programs, most Americans are generally supportive. According to the General Social Survey (GSS), for example, a majority of Americans believe that we are spending too little money on improving and protecting the environment (NORC, 2017). A very interesting picture develops when we take a closer look at public opinion polls that are asking Americans their thoughts on climate change. Contrary to the seemingly even split of opinion between Democrats and Republicans in Congress, the vast majority of Americans are not climate change deniers. Over 70 percent of Americans believe that climate change is a threat according to the Bloomberg national poll and that number has increased even more throughout Obama's time in office from 71 percent in 2009 to 78 percent in 2016 (Polling Report, 2017).⁶ The 2015 Quinnipiac University poll found that a majority of Americans are concerned about climate change and think more needs to be done in the U.S. to address climate change, specifically 69 percent "would like to see the next president support policies to combat climate change" (Polling Report, 2017). So overall, most Americans agree that climate change exists and that more needs to be done to address it.

⁶ That includes people who said either that it is a "major threat" or a "minor threat."

Ideology

The ideological leanings of elected officials are reflected in the resilience debate. While ideology did not affect the debate surrounding resilience at the same level that it impacted the trajectory of sustainable development, it did have a strong influence in rebuffing efforts to establish climate resilience as a key component of federal efforts. Democrats were in support of climate resilience policymaking, while Republicans flatly opposed it, which mirrors the congressional response to sustainable development. However, both Republicans and Democrats embraced the idea of resilience to natural hazards and other extreme events, especially when depicted in national security terms. Thus, hazard mitigation was not viewed in ideological terms. Instead, there was broad bipartisan support for it. This contrast between climate resilience and resilience to extreme events reflects the disjunctive treatment of resilience. What follows from this is that how broadly an idea is framed can profoundly affect whether it is viewed in ideological terms. Finally, it is important to note that congressional Republicans were determined to oppose any policy efforts that President Obama pursued, which further undermined his efforts.

In Summary

The effect of most of these contextual factors on resilience policymaking during the Obama presidency appears rather limited. The creation of a Hurricane Sandy task force within the executive branch following the storm was clearly the most direct consequence that any of these factors had on the trajectory of resilience. Otherwise, the impact of external shocks, the state of the economy, and public opinion seems rather slim. Of the four contextual factors under investigation, the ideological predispositions of members of Congress had the most significant influence on resilience policymaking as Senators and Representatives were divided along

partisan lines with respect to climate resilience. In addition, congressional Republicans saw the need to oppose the Democratic president no matter the issue.

Conclusions

This chapter shows that the trajectory of an idea is at least in part determined by how it is defined, i.e. what the boundaries of the idea are. More specifically, this key juncture illustrates that although resilience constitutes a different approach to similar policy problems as sustainable development, resilience—when it is defined to include climate resilience—faces the same hurdles as sustainable development. While both the legislative and the executive branch embraced threat resilience, it was not fully institutionalized because of the Obama administration's attempt to link it with climate resilience. The result is the emergence of an executive driven climate change regime of limited durability and a stronger executive and Congressional basis for a regime around natural hazards and other extreme event resilience. Thus, there is a different outcome for climate resilience than for threat resilience.

In its attempt to build an institutional structure to promote resilience as a cornerstone of the risk-reduction efforts of the federal government as well as communities nationwide, the Obama administration worked hard to link climate resilience with threat resilience, thereby entangling the two politically. Congress, however, was only supportive of threat resilience and in opposition to climate resilience. Thus, the legislative activity in Congress relating both to resilience generally and President Obama's resilience building efforts specifically presents a disjunctive picture. On the one hand, Congress passed a relatively substantial amount of resilience legislation, especially legislation related to hazard mitigation. Given the overall polarized environment, this legislation garnered a surprising amount of support from both parties

as indicated by the degree of bipartisan co-sponsorship. On the other hand, congressional Republicans clearly opposed President Obama's institution building efforts as well as his attempt to link climate resilience to threat resilience.

With the exception of ideology, the contextual factors should have boosted President Obama's efforts to establish an institutional structure based on the idea of resilience, but they did not. For example, the large number of natural disasters, and in particular Hurricane Sandy, should have strengthened the case for resilience. While Hurricane Sandy did lead to some legislation as well as the establishment of a task force, it did not redirect the overall policy debate. The recovery of the economy throughout the Obama presidency should have increased the chance for the creation of a viable resilience policy regime. After all, economic indicators show that the economy significantly improved from a low in 2008 and 2009 due to the financial crisis and the Great Recession. Public opinion was also not a hindrance to resilience policymaking as there was considerable public support for policies addressing climate change and other environmental problems. And even though the environment is generally not seen as a policy priority in contrast to the economy, national security is and with Presidential Policy Directive 8 resilience is firmly grounded in national security policymaking. Of the contextual factors under examination, ideology affected resilience policymaking the most. Not only were Democrats and Republicans on ideologically opposing sides of climate resilience, but congressional Republicans appeared determined to challenge President Obama's policy efforts no matter what they entailed.

As a consequence of the political and ideological context, there were some limitations to the potential impact of President Obama's resilience institution building effort. For one, while executive orders allow the president to set policy without congressional support, they do have

their limitations. Most importantly, they do not have the staying power that legislation passed by Congress would. Once the president leaves office, subsequent presidents can easily overturn them. Thus, it is not possible to create a durable institutional structure using executive orders as illustrated by the resilience institutional structure that President Obama sought to establish. The task forces were put in place for only brief periods of time to compile recommendations. Following their reporting, they were dissolved again.

President Obama established the Council on Climate Preparedness and Resilience by executive order without specifying a termination date. But given the limitations of executive orders, the council was not on a firm footing either. With the change in executive power following the 2016 presidential election, the council lost the support from the president that it needed to continue to exist. It is more difficult to determine the fate of the Mitigation Framework Leadership Group and the National Mitigation Framework, which are under the umbrella of the Department of Homeland Security's Federal Emergency Management Agency (FEMA). As of July 10, 2017, the page on the FEMA website that describes the Leadership Group has not been archived and has last been updated on April 28, 2017. The same holds true for the page discussing the National Mitigation Framework, which was last updated on April 27, 2017.

For his climate change resilience efforts, President Obama relied heavily on executive orders, which are generally not self-enforcing and rely upon Congress to provide the funding for their implementation. This is a check on presidential power that we saw Congress use to undermine Bill Clinton's President's Council for Sustainable Development. Addressing President Obama's efforts, the progressive think tank Center for American Progress notes, instead of "specifically seek[ing] a federal revenue stream to fund resilience projects," Obama "marshall[ed] existing federal resources" (Weiss, 2013). Consequently, for the work of the newly

created climate change resilience institutional entities to have a greater impact, the Obama administration would have needed to seek additional revenue, which would have required new legislation. But given the congressional resistance to climate change resilience, it would have likely been an uphill battle to get congressional support for that.

In contrast with the sustainable development cases considered in earlier chapters, this chapter provides a more positive picture concerning the ability of an idea to gain traction in policymaking. It shows how, even in a highly ideological and partisan environment, a degree of consensus can be achieved around ideas that resonate across ideological and partisan lines, such as the concept of resilience for averting extreme events and other threats. Given the need for crossing ideological and partisan divides, this likely only applies to a limited number of policy issues. From a more optimistic perspective, it may be possible to reframe some policy issues in terms that make consensus possible and more likely. One way to do that is to focus on a framing that emphasizes a policy solution instead of a policy problem. By focusing on solutions, it is possible to circumvent the debate about the root causes of policy problems that require a resolution, which often leads to partisan discussions.

PART IV:
CONCLUSION

CHAPTER 9

Conclusions:

Revisiting Ideas and Policymaking

Ideas are an essential component of policymaking. Nevertheless, we know surprisingly little about how they work in the policy process. While some ideas gain traction in the policy debate and ultimately provide the ideational foundation for a policy regime, others fade away. This leads the curious observer of politics to ponder what leads to such divergent outcomes. How do ideas gain traction in policymaking? To begin shedding light on this question, this dissertation has focused on examining the diverging trajectories of one idea in two different national contexts to determine the factors that impact how ideas gain traction in policymaking. I have operationalized traction in policymaking as the extent to which ideas become embedded in policy regimes. A policy regime constitutes the “governing arrangements for addressing policy problems,” comprised of the ideas, institutions, and interests that combine to make up these governing arrangements (May & Jochim, 2013, p. 428). I focus on sustainable development as a broad idea of global significance concerning the responsible use of natural resources and the protection of the environment for future generations. The empirical analysis focuses on comparing the level of traction sustainable development gained in Germany and the United States at different points in time over the period from the early 1990s to 2016.¹ Each chapter concentrates on a critical juncture in the sustainable development trajectory of one of these two Western industrialized nations.

¹ I also include President Carter’s *Global 2000 Report* (1980) as a case study because it adds valuable historical context.

The close examination of the trajectory of sustainable development makes clear that Germany and the United States have different outcomes with respect to the development of sustainable development policy regimes. Only Germany has a well-developed policy regime based on the idea of sustainable development. In the United States, the idea as well as the interests and institutions surrounding sustainable development have not been able to capture policymaking at the national level. However, there have been multiple attempts by different presidents, specifically Presidents Jimmy Carter and Bill Clinton, to advance sustainable development policymaking. Thus, apart from the nascent sustainable development policy regime that President Clinton established during the 1990s, which quickly unraveled following the end of his presidency, there was no sustainable development policy regime at the national level in the United States at any point between 1980 and the present. The difference in outcome relates back to the divergent paths that the idea of sustainable development has taken in German and American policymaking. As the detailed analysis of the idea in each country's national policymaking reveals, the trajectories of sustainable development in Germany and the U.S. differ from one another. The sustainable development policy trajectory in the United States, on the one hand, can be characterized as a pendulum that swings back and forth with partisan changes in executive power. Thus, it is marked by large shifts and disruptions, fits and starts, and ultimately a lack of continuity. In Germany, on the other hand, the idea of sustainable development was continually part of the policy process beginning in the early 1990s and the trajectory amounts to a continuous progression towards a rather comprehensive and durable policy regime.

To disentangle the forces that have shaped the two divergent sustainable development policy trajectories and that consequently led to different policy regime outcomes, I focus on a number of critical junctures in each country's sustainable development trajectory. I examine two

key junctures in German sustainable development policymaking, namely the establishment of the sustainable development institutional structure during the early to mid-2000s and the creation of the German Sustainability Code in the early 2010s. For the U.S. case, I assess four key junctures: 1) President Jimmy Carter's *Global 2000 Report*, 2) Bill Clinton's President's Council on Sustainable Development, 3) the interest pushback during the George W. Bush presidency, and 4) President Barack Obama's shift to an emphasis on resilience as a way of thinking about addressing environmental and other threats. Though the latter focuses on a different idea, the underlying policy problem that it seeks to address is similar. Thus, examining the degree to which resilience has gained traction during the Obama presidency provides helpful insight into why certain ideas gain traction and others do not.

Addressing these key junctures allows for the tracing of the variables that potentially impact the policy regime building process. In particular, I consider the three policy regime components—the ideational foundation, the interest alignments, and the institutional arrangements—as well as four contextual factors that had a high likelihood of influencing the trajectory of the idea, namely external shocks, the state of the economy, public opinion, and ideology. Thus, the central focus of the empirical analysis is the interplay of ideas, interest, and institutions, as well as multiple contextual factors. Based on this in-depth empirical analysis, I draw conclusions about the combination of factors that either facilitate or impede the ability of ideas to become embedded in policy regimes.

Explaining Traction of Ideas – Differences in Sustainable Development

The empirical analysis of multiple key junctures in the German and American sustainable development trajectory reveals several important lessons that help explain why ideas gain

traction or fail to do so. In what follows, I discuss eight lessons learned from the in-depth analysis of multiple critical junctures in the trajectory of sustainable development in Germany and the United States.

Lesson 1: Ideational concurrence matters.

During the time under investigation, there was ideational concurrence around the idea of sustainable development in Germany, but not in the United States. This helped the idea to gain traction in the former and undermined it in the latter. Ideational concurrence can be defined as a common understanding of an idea, i.e. what it constitutes, as well as an agreement of whether the goals it espouses are valued as important. The ideational concurrence around the idea of sustainable development itself is not sufficient for and does not guarantee that the idea gains traction, however, as I define gaining traction as the degree to which ideas are embedded in policies and carried out as governing principles, i.e. whether they result in a policy regime. Consequently, ideational concurrence is different from an idea gaining traction. While it is important for an idea to have concurrence among political actors for it to gain traction, it is not enough. There are examples of ideas that have concurrence, but lack traction. Consequently, even if there is concurrence, other factors can still prevent the idea from gaining traction, such as strong interest opposition. Thus, concurrence does not equal traction.

In both cases, the ideational foundation was very similar. Politicians in Germany as well as in the United States generally define sustainable development as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs” (Brundtland, 1987). Thus, the majority of policymakers reference the United Nations’ sustainable development process and in particular the 1987 *Brundtland Report* as well as the

1992 Rio conference and *Agenda 21* in their efforts to support and where applicable oppose the idea. The only exception is President Jimmy Carter, whose attempt to put the idea on the policy agenda with the publication of the *Global 2000 Report*, which he had commissioned to predict the state of the world in the year 2000, preceded the U.N. sustainable development process. With the exception of President Carter, the international impulse that came from the U.N. meant that both the German and the American sustainable development policy debate had the same point of origin.

Even though each country's sustainable development policy debate had the same point of origin, which also meant that policymakers and other stakeholders on both sides of the Atlantic understood the idea in similar ways, the idea resonated more strongly in Germany than it did in the United States. As the chapters on the German sustainable development institutional structure and the German Sustainability Code illustrate, there is an overwhelming consensus among German policymakers that incorporating sustainable development into policymaking as a key overarching principle that cross-cuts policy areas is a necessary and worthy goal. All parties represented in the German Bundestag across the ideological spectrum have voiced their support for sustainable development and participated in sustainable development policymaking to some degree. This perception is reinforced by the fact that it is difficult to find outright and outspoken opposition to the idea. This general concurrence around the idea of sustainable development made it easier for the idea to gain traction.

In the United States, however, the idea was contested ideologically based both on principle as well as politics. Specifically, that means sustainable development was challenged by political actors and other stakeholders who raised concerns about the economy, which they argued would suffer as a consequence of the pursuit of sustainable development. Those who

oppose sustainable development on economic grounds tend to set up the argument as a dichotomy that pits the two against one another. Though ultimately unsuccessful, President Clinton tried to overcome this opposition by conceptualizing sustainable development as a symbiotic relationship between the environment and the economy. What is more, conservative Republicans ideologically opposed the idea as a foundation for policymaking based on politics. In fact, they advocated for a neoliberal counter narrative that emphasized deregulation and privatization instead of government regulation. The ideological contestation (or lack of concurrence) of sustainable development in U.S. policymaking helps explain the fits and starts in the trajectory of sustainable development that I documented throughout this dissertation.

Furthermore, the ideological contestation of the idea of sustainable development in the United States also offers an explanation for why environmental policies were successfully enacted in earlier eras, for example under Republican president Richard M. Nixon during the 1970s. At that point in time, there was less ideological resistance and more bipartisanship. What changed towards the end of the 1970s was the ideological approach that dominated the Republican party. Political scientist Mark A. Smith calls this shift the “right turn” during which American politics “became reoriented around economic interpretations of issues” (2011, p. 17). Making a similar point, environmental policy professor Judith Layzer referred to the change as the “anti-regulatory turn” driven by “a conservative coalition determined to free business of regulatory constraints” (Adler, 2013, pp. 133-134).

Overall, the reception of the idea of sustainable development differed substantially in the two cases. While the idea resonated broadly in German policymaking, it was contested ideologically based both on principle and politics in the United States. The ideological contestation of sustainable development in the U.S. led to a substantial amount of opposition,

while the strong resonance in Germany led to a broad consensus and a lack of any substantial opposition.

Lesson 2: The framing and selling of ideas also matter.

How an idea is presented has an impact on its likelihood of gaining traction. The labels used to describe an idea and the way that advocates promote an idea is of critical importance. There are various differences in how sustainable development is framed across the two settings under investigation that underscore this point.

In Germany, the idea of sustainable development is generally framed in positive terms, like responsibility and community. The latter puts a particular emphasis on our children, whom we have the responsibility to leave with the enough resources and a healthy environment. Additionally, the German government made the case for sustainable development by stressing the country's commitment to human dignity, which is anchored in the German constitution. Chancellor Angela Merkel notes in her foreword to the German Sustainability Code that answering the question how we can make a life in human dignity possible for all, leads to sustainable development. Another term that frequently comes up when advocates promote sustainable development is justice, which includes not just an obligation to future generations of Germans, but also to other countries. Thus, the German debate is framed in positive terms that seek to appeal to the values of German citizens.

In the American policy debate, sustainable development is framed very differently—in much more negative terms and a less visionary way. Initially, President Carter's *Global 2000 Report* presented the challenge ahead if we do not change our ways in stark terms that laid out a vision for the future that full of doom and gloom, as the critics noted. Though often effective, the

appeal to fear did not work in this instance. Instead, it provided the report's opponents with an opening to present a much more positive message that stressed that innovation and technology are the solution to the problems raised, not government intervention. This message continued to be influential throughout the sustainable development debate, which is not surprising since it ties into the neoliberal counter narrative that conservative Republicans advocated. President Clinton tried a different framing that focused a lot less on negative affect and more on the opportunities that a symbiotic relationship between the economy and the environment offers, but this framing had its limits as the economy continued to reign supreme. Overall, the advocates of sustainable development in the United States refrained from framing the idea in grand, visionary terms that appeal to an individual's values like the German government did.

What is more, the fact that sustainable development represents a problem rather than a solution framing became an obstacle in the United States. After multiple presidents had attempted to promote sustainable development, President Obama focused more on resilience, which is the "ability to anticipate, prepare for, and adapt to changing conditions and withstand, respond to, and recover rapidly from disruptions" (Executive Order No. 13653, 2013), than on sustainable development. Instead of focusing on the problem, resilience concentrates on the solution and as a consequence, the idea gained more traction than was the case for focusing on sustainable development as a problem. Specifically, resilience focuses on solutions by deemphasizing the underlying problem. No matter if communities are threatened by natural disasters, terrorist attacks, or other types of threats, by pursuing resilience government officials seek to prepare communities for responding to any threat, for example by improving infrastructure and disaster response capacities.

Part of the challenge of focusing on a framing that emphasizes a future problem is that it can provide yet another opening for critics as was the case for sustainable development. The proponents of sustainable development argue that the current track that development is on is not sustainable. Making this assumption requires these actors to make certain predictions about the future. Of course, such predictions are often not entirely accurate. When predictions are wrong, the opponents of sustainable development revel. One of the most illustrative examples of this is President Carter's *Global 2000 Report*. The report made a number of predictions about the future of the world at the turn of the century, which at that point was still 20 years in the future. Unsurprisingly, many of the report's predictions were inaccurate, which provided the critics of sustainable development with more material to make their case. The proponents of sustainable development, the critics argued, were simply too pessimistic as indicated by their flawed predictions. Thus, relying on a framing that emphasizes a future problem undermined the proponents' case for the need to pursue sustainable development.

Lesson 3: The strength of the interest opposition is tied to the structure of the political system.

While interest opposition is generally a critical factor in determining whether an idea gains traction in policymaking, the way that the political system is structured makes a difference in terms of how the interest opposition affects the process. The strength of the interest opposition as well as the opportunities and constraints it faces are tied to the make-up of the political system and the veto points within that system. Due to the differences in the political systems, opposition interests in Germany are more likely to modify an idea, while they are more probable to derail it in the United States.

With more of a focus on consensus building and less veto points, the German political system engages the interest opposition in the policymaking process and allows it to help shape the policy. As the examination of sustainable development policymaking in Germany reveals, various interest representatives had a prominent seat at the table. The German federal government invited them to comment on drafts of the national sustainability strategy as well as the German Sustainability Code. For the latter, corporations were even more actively engaged as a number of them participated in a test phase. The influence of these interests was apparent as the initial version of the code was modified so that instead of being mandatory for a certain set of companies, the code ended up being voluntary until the incorporation of the EU sustainability reporting guidelines. Another indicator that underscores this point is that there was very little outspoken and outright interest opposition that called for abandoning these policy projects. Thus, the interest opposition influenced the sustainable development policymaking process by pushing the government to modify its plans. In addition, interest groups are closely linked to political parties and exert their influence indirectly through the political parties that they are close to, for example the Christian Democratic Party, which has led the German government since 2005, is close to business interests.

In contrast, interest opposition in the United States can serve as a barrier to passing legislation and establishing a policy regime. In the case of sustainable development, the interest opposition was strong throughout the time under investigation and it played a critical role in blocking legislation that would have provided a strong basis for a sustainable development policy regime. A critical example of the strength of the sustainable development interest opposition is the collection of interest groups under the banner of Wise Use, which advocated for the unrestricted exploitation of natural resources and which had a particularly strong influence

during the George W. Bush administration as adherents to Wise Use filled administration jobs. Furthermore, throughout the time under investigation, conservative think tanks like the Heritage Foundation have strongly argued against sustainable development and Republicans in Congress reiterated these arguments. Given the checks and balances that are built into the American political system, Congress was a key veto point during times of divided government that the interest opposition against sustainable development utilized to block any legislation that would have provided a durable foundation for a sustainable development policy regime.

At least in part, the differences between the German and the American sustainable development trajectory can be explained both by the stronger ideological opposition from opposing interests in the U.S. as well as the structure of the U.S. system compared with that of Germany. Thus, though interests play a critical role in both national contexts, they play a different role due to the variance of the two political systems. In Germany, interests are closely tied to political parties with the different parties being close to different interest groups. But since the political system relies on coalition and consensus building and lacks the possibility of divided government, opposition interests used their ties with political parties, particularly the Christian Democrats, to soften the implementation of the idea to favor their interests. In the United States, however, opposition interests make use of the institutional veto points that are built into the political system to block policy action that would advance sustainable development. In addition, conservative interests have dominated American politics for the past few decades as a consequence of what Mark A. Smith terms the “right turn in American politics” that took place in the 1970s.

Lesson 4: How ideas are institutionalized can channel attention and efforts in forming the basis for meaningful policy regimes.

The way that the institutional structure that addresses a certain policy idea is set up influences its ability to channel attention, information, and relationships (May & Jochim, 2013, p. 434). As a consequence, it also has an impact on its effort to constitute the foundation for a meaningful policy regime. The more effective it is in channeling attention, information, and relationships in support of a policy goal, the more likely its efforts are to result in a meaningful policy regime.

In Germany, the institutional entities driving sustainable development policymaking were set up in a way that allowed them to incorporate a large number of stakeholders into their process. For example, the Council for Sustainable Development created the German Sustainability Code by channeling the attention of both the general public and various stakeholders. The government established the national sustainability strategy in a similar way with a broad “Dialogue Sustainability.” In both of these cases, the institutional design provided various avenues for interest representatives as well as the general public to participate in the drafting of the end product. This was a critical way for the institutional design to channel attention, information, and relationships in support of sustainable development broadly and the German Sustainability Code as well as the German national sustainability strategy specifically.

With the President’s Council for Sustainable Development (PCSD), President Clinton established an institutional design that sought to accomplish the same, and to some degree, the council was successful in that regard. The main goal of the PCSD was to bring a variety of stakeholders together to reach a consensus on sustainable development and how to best incorporate it into policymaking. The wide variety of stakeholders who were represented in the

membership of the council arrived at an agreement. However, in contrast to similar efforts in Germany, the PCSD's consensus did not reach beyond the institutional design and into to broader public debate.

The institutional design that President Obama put in place to address climate resilience was less successful in this regard. The various task forces that President Obama established, foremost the Interagency Climate Change Adaptation Task Force and the President's State, Local, and Tribal Leaders Task Force on Climate Preparedness and Resilience, brought together government officials from various levels of government as they focused on coordinating resilience policymaking across government. These institutional entities did not engage stakeholders from outside of government, like representatives from business and environmental groups. Thus, while the PCSD under President Clinton involved a broad variety of stakeholders—both from within and outside of government—to build a consensus around sustainable development, President Obama's institutional design had a narrower focus. Thus, the PCSD was more effective at channeling the attention of a broad range of stakeholders in support of its policy goal.

Lesson 5: Institutional mechanisms in themselves cannot overcome interest opposition.

Though a strong institutional structure is necessary, it is not sufficient to overcome interest opposition. On the one hand, the institutional structure can help channel the interest opposition and thereby diffuse it as the case of Germany illustrates. On the other hand, however, the institutional entities or programs that are charged with carrying out ideas can also become the basis for interest opposition as the U.S. case reveals.

In the case of the German sustainable development trajectory, the institutional structure helped channel opposition. By incorporating the various stakeholders into the policymaking process, the German government incorporated their feedback and criticism, thereby diffusing the opposition. The creation of the German Sustainability Code serves as a case in point here. The German Council for Sustainable Development built a broad network of interests and engaged them in the process of developing and adjusting the code. A large number of corporations and other stakeholders participated in this process and their involvement made them less likely to outright oppose the process as they had the opportunity to make their mark on the eventual outcome. The German government engaged a broad range of stakeholders in the development of the German national sustainability strategy as well achieving a comparable goal. Both of these instances illustrate how the institutional mechanism can channel and diffuse the interest opposition.

But the institutional structure itself can also become an obstacle. As the U.S. case showed repeatedly, the institutional entities that presidential administrations created to address an idea, like Bill Clinton's President's Council for Sustainable Development or President Obama's Council on Climate Preparedness and Resilience, became a target for the interest opposition. To weaken these institutional entities, the interest opposition made efforts to dismantle, defund, or otherwise undermine these new efforts. For example, Congress successfully undercut the President's Council for Sustainable Development by limiting its funding.

What both of these cases ultimately show is that the institutional mechanisms cannot in themselves overcome the interest opposition to an idea. In the German case, the interest opposition became part of the policymaking process as the institutional structure engaged it. One potential consequence of the extensive engagement of the interest opposition is that by

participating in the process, the opposing interests have the opportunity to modify the outcome to suit their interests. Thus, the broad consensus building effort that the institutional structure pursued led to a least common denominator outcome, which limited the policy ambitions for implementing sustainable development. In the U.S. case, however, the interest opposition attacked the institutional entities instead of participating in their processes. But in neither of these cases does the institutional structure overcome the interest opposition, instead it either is able to engage it or not.

Lesson 6: Context sometimes matters in broadly shaping the opportunities and constraints for ideas.

The contextual factors that I investigated, namely external shocks, the state of the economy, public opinion, and ideology, do matter to a degree—some more so than others—as they shape the opportunities and constraints that ideas face. Among them, ideology stands out particularly in the United States where it is an important force that shapes the possibilities of an idea. As noted, conservative Republicans, who gained strength as a consequence of the “right turn” in American politics (Smith, 2011), blocked sustainable development when and however they could and instead sought to advance the neoliberal counter paradigm that stresses deregulation and privatization as the most effective policy solutions instead of governmental intervention.

The impact of the other three contextual factors has been minor at best in the cases examined here. For example, there were numerous external shocks in both the United States and Germany that could have shifted the policy debate and aided sustainable development in gaining traction, but there is no clear indication that any of these shocks had a significant impact. In the

United States, Hurricane Sandy likely had the most direct impact on policymaking. Following the storm, President Obama created the Hurricane Sandy Rebuilding Task Force to make recommendations and to oversee the rebuilding process, but the work of the task force did not reshape the policy debate. Surprisingly, Hurricane Katrina had even less of an impact on the sustainable development policy debate. Instead, it was 9/11 that had the most significant though indirect influence during the George W. Bush presidency. Although only tangentially related to sustainable development, the 9/11 terror attacks united the country including Congress behind President Bush. As a consequence, Congress was more inclined to support the president and sustainable development legislation became even less likely than it was before. In Germany, sustainable development policymaking moved forward without any external shock putting pressure on the government.

Similarly, the state of the economy also did not have a consistent influence on sustainable development policymaking although it is important as a context for the ideological arguments made in opposition to sustainable development in the United States. Those who ideologically opposed sustainable development generally argued that pursuing it would harm the economy. Even during economically robust times, like the 1990s, the chances for the establishment of a viable and lasting sustainable development policy regime did not appear to increase as a consequence of the strong economic indicators. In Germany, we see a completely different picture as a challenging state of the economy was not viewed as a reason to abandon sustainable development policymaking. To the contrary, the government cited the 2009 global financial crisis as a critical reason to pursue sustainable development and to establish the German Sustainability Code.

Finally, public opinion did not affect sustainable development policymaking one way or another. For the most part, there was relatively strong support for environmental policymaking in both the United States and Germany. However, that support did not translate into any meaningful sustainable development policy action in the United States, even though the opinions of the American public did not differ substantially from those of the German public.

Lesson 7: The durability of an idea depends on its ability to transcend ideological resistance and shape strong regimes.

Whether an idea has a lasting impact on policy is determined by its capacity to overcome ideological opposition. Only then can it serve as a foundation for a strong and most importantly durable policy regime. The idea of sustainable development was able to transcend ideological resistance and provide the foundation for a robust policy regime in Germany, not however in the United States.

In Germany, sustainable development withstood changes in the political power balance for a number of reasons. For one, there was a broad consensus among all of the major parties that pursuing sustainable development was a worthy goal. For example, though the Free Democrats are the most neoliberal of the major parties, they co-signed the initial petition to create the Parliamentary Advisory Board for Sustainable Development along with the more progressive parties, which reflects the broad consensus. Furthermore, the sustainable development institutional structure that was initially put in place by the progressive red-green governing coalition stood the test of time likely at least in part because the shifts in the governing coalition were gradual. Once the governing coalition between the Social Democrats and the Greens that had created the institutional entities ended, power shifted to a coalition between the Christian

Democrats and the Social Democrats. Given that the latter played a critical role in establishing the sustainable development institutional structure during the previous legislative period, it was unlikely that this new governing coalition would roll back these institutional entities. Even when the control of government switched to the most conservative and business friendly coalition made up of the Christian Democrats and the Free Democrats, the sustainable development institutional bodies stayed in place. Throughout these shifts in political power and ideological leanings, the sustainable development policy regime persevered proving to be durable.

In contrast to Germany, there was at best a limited and temporary sustainable development policy regime in the United States under President Clinton. It was under his leadership that the U.S. came the closest to having a viable sustainable development policy regime. During the 1990s, Bill Clinton established the President's Council for Sustainable Development to incorporate sustainable development into policymaking. But even though the council brought together a broad variety of stakeholders in support of sustainable development, the nascent policy regime it created faced continued ideological resistance and lacked the legislative support that would have been necessary to make it more durable.

Lesson 8: The bottom line is that the interplay of ideas, interests, institutions, and ideology is an important factor in explaining the trajectory of ideas as the case of sustainable development illustrates.

Ultimately, we must consider ideas, interests, institutions, and ideology in conjunction with one another. Since they are a heavily contingent set of considerations, we cannot look at them separately and in isolation from one another. As the analysis of the divergent trajectories of sustainable development illustrates, how the interplay of these different factors plays out and

how it affects the trajectory of the idea is in part shaped by the structure of government. Though Germany and the United States are two Western democracies that have a lot of similarities, there are also important structural differences between them. The US political system is a presidential system that is characterized by checks and balances with multiple veto points, which impede sustainable development policy, while the German governmental system is a parliamentary system based on coalition building. Both systems are permeable to interests, but the results of the interest involvement are different as discussed above (Lesson 3).

The German Bundestag has a very different relationship with the chancellor than Congress does with the president. While the legislature and the executive in the United States are separate branches that are meant to provide a check on one another and balance each other out, the Bundestag and the chancellor are not as separated in the German political system. In fact, in Germany the Bundestag selects the chancellor and the governing coalition is built based on which parties can form a partnership that brings together a majority of the members of the Bundestag. As a consequence, there is no separation of powers inherent in the German political system comparable to that in the American political system. These structural differences have a substantial impact on the interplay of ideas, interests, institutions, and ideology, which ultimately affects the trajectory of the idea of sustainable development in the two countries.

Significance of the research

As the above lessons suggest, this research provides a wealth of insights not only into the trajectory of sustainable development in Germany and the United States, but also the factors that determine whether and when an idea gains traction in policymaking. Only by comparing the two settings and focusing on critical junctures could one tease out how the idea interacts with the

institutional arrangements, the interest alignments, and the contextual factors, and what combination of these factors allowed the idea to gain traction. Similarly, the research shed light on the factors that undermined the idea and prevented it from supplying the ideational foundation for a policy regime.

This research makes important contributions to the literatures on comparative ideational policy, policy regimes, and sustainable development. While there has been some progress in understanding how ideas can be critical in explaining variations between countries, the comparative ideational policy literature remains “a work in progress” (Béland, 2016, p. 229). Scholars have turned to ideas to explain differences in how Swedish and German social democratic parties responded to fascism in the 1920s (Berman, 1998) as well as variations in privatization strategies of post-socialist economies (Appel, 2000). However, these innovative studies are still far and few between. Much more research needs to be done to for us to get a fuller picture of the role that ideas play in policymaking. This research project adds to this growing body of literature by systematically comparing the trajectory of the idea of sustainable development in two national settings over an extended period of time.

Furthermore, this research makes a contribution to the literature on policy regimes by emphasizing the interplay of ideas, interests, and institutions as well as taking various contextual factors into account and showing the conditioning influence of ideology. Similar to the comparative ideational policy literature, the comparative policy regime literature is still in its early stage. In particular, there are few cross-country comparisons of policy regimes. Most of the existing studies in this area of research focus on identifying and classifying policy regimes, such as Andreas Duit’s (2016) study, which categorizes the environmental policy regimes that the 28 OECD countries fit in. This dissertation goes further as it theorizes about the emergence and

durability of policy regimes across two national settings and examines the factors that shape policy regime building.

Finally, this research adds to the sustainable development literature. Without a doubt, a lot has been said already about the idea itself since it was first popularized by the United Nations in the late 1980s and early 1990s. This dissertation breaks new ground in addressing how the idea of sustainable development becomes embedded in policy, or fails to leave a mark on it. This takes us beyond debates over the conceptualization of sustainable development and towards an examination of its integration into the policymaking process.

In the future, this research can be extended in a variety of ways. For example, one way to expand this line of academic inquiry is to examine cases beyond sustainable development. Analyzing various other ideas and their trajectories in U.S. and German policymaking would provide richer evidence and insight into how these countries' political and ideological contexts impact the likelihood of ideas gaining traction. Moreover, replicating this study of sustainable development in other settings would further tease out the effects of governing structures. Specifically, examining the trajectory of sustainable development in other parliamentary and presidential systems would better our understanding of the impact these governing structures have on the policy regime building process.

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