

Office of Science and Technology Policy responsible for innovation policy. Restore and update the Office of Technology Assessment in Congress with a specific mandate to consider the innovation system.

Looking ahead to 2009, as we respond to the financial crisis and expected recession, we need to think about the impact of new policies on our innovation system—the long-term driver of higher wages, the foundation for economic strength, and a key element in national security. Too often, innovation, and the national system that supports it, is not even an afterthought, let alone a forethought.

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Better environmental treaties

Lawrence Susskind has identified some key problems with the very structure of environmental treaty formulation (“Strengthening the Global Environmental Treaty System,” *Issues*, Fall 2008). Some of the remedies he proposes are, however, already taking place but attaining mixed results. For example, one of the solutions presented is the involvement of civil society groups as part of the treaty-making process. This is already happening with many environmental agreements, because civil society groups play an essential role at most Conferences of the Parties where treaty implementation is worked out.

Secretariats of environmental agreements such as the Ramsar Convention

on Wetland Protection are housed at the International Union for the Conservation of Nature, which boasts over 700 national nongovernmental organizations as its members. Hence, even if voting rights remain with nation-states, civil society groups have considerable influence through such organizational channels. What often happens is that many of these civil society groups are co-opted by the protracted treaty process as well and are thus not as effective as one may expect them to be.

There are also two seemingly contradictory trends in the politics of international treaties. On the one hand, nationalism is gaining strength along linguistic and religio-cultural divides, as exemplified by the emergence of new states within the past few years such as East Timor and Kosovo. On the other hand, the legitimacy of national jurisdiction is gently being eroded by institutions such as the World Trade Organization and the International Criminal Court.

In this regard, Susskind’s critique is most valid regarding the asymmetry of action caused by powerful recalcitrant states and the delinking of environmental issues from security imperatives. Within the United Nations (UN) system, the only institution with a clear mandate for international regulatory action is the Security Council. However, seldom are environmental issues brought to its attention as a cause for intervention. The inertia within the UN system to reform the structure of the Security Council filters down to all levels of international treaty-making.

The economic power of certain nation-states such as India and Brazil is beginning to provide an antidote to the hegemony of the old guard in the Security Council, as exemplified by the recent failure of the Doha round of trade negotiations. Yet environmental negotiations are still largely decoupled

from these more powerful international negotiation forums and are thus not affected by this new locus of influence.

As Susskind notes, the role of science in international treaties can often be diluted by the need to have global representation, as exemplified by the Intergovernmental Panel on Climate Change. However, such pluralism is essential despite its drawbacks of diminishing purely meritocratic research output in order to gain acceptance across all member states.

There are some efforts to reconcile the contradictory trends in environmental policymaking that are beginning to emerge and where Susskind’s concerns may have already been adequately addressed. The European Union’s environmental laws exemplify a process by which national sovereignty can be recognized at a fundamental level while acknowledging ecological salience across states with large economic inequalities. Ultimately, if we are to have an efficacious environmental treaty system, a similar approach with clear targets and penalties for noncompliance will be needed to ensure that policy responses can keep up with ecological impact.

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International environmental law has been greatly expanded during the past 40 years. Although some success can be noted with respect to, for example, phasing out ozone-depleting substances, many environmental problems remain unabated. Lawrence Susskind correctly notes that the current system “is not working very well.” Based on his assessment of the system’s weaknesses, Susskind

offers several practical suggestions for improving the effectiveness of international environmental governance.

Susskind's suggestions focus on specific ways in which the environmental treaty-making system can be improved without requiring major changes to basic structures of international law and cooperation. Some may criticize this approach as being too modest given the severity of the environmental challenges we face, but it has the advantage of being more realistic in the short to medium term than any call for fundamentally altering the roles and responsibilities of international organizations and states in international lawmaking and implementation of environmental treaties.

Of Susskind's many constructive proposals, a few stand out as being both important and relatively achievable. These include setting more explicit targets and timetables for mitigation, establishing more comprehensive and authoritative mechanisms for monitoring and enforcement, and developing new structures for formulating scientific advice. None of these issues are unproblematic—if they were easy, they would already have been addressed—but discussions around several of them are advancing under multiple environmental treaties (albeit painstakingly slowly).

At the heart of many difficult discussions lies the fact that states remain reluctant to surrender sovereignty and decisionmaking rights under environmental treaties. This draws attention to the importance of norms and principles guiding collective behavior. Susskind touches on this in his discussion about the United States' rejection of the principle of common but differentiated responsibilities intended to aid industrialized and developing countries to move forward on specific issues while recognizing that there are fundamen-

tal differences between them in terms of their ability to lead and act.

Political science and negotiations analysis tell us that a shared understanding of the cause, scope, and severity of a problem is critical for successful communal problem-solving involving the redistribution of costs and benefits. It is unlikely that global environmental governance will be significantly improved until there is a much greater acceptance among leading industrialized and developing countries about the characters and drivers of environmental problems and shared norms and principles for how they are best addressed (including the generation of funds for mitigation and adaptation).

In other words, many of the practical suggestions for improving global governance put forward by Susskind should be debated and pursued across issue areas, because they would help us address specific environmental problems more effectively. At the same time, the magnitude of collective change ultimately needed to tackle the deepening environmental crisis is unlikely to come about without more widespread global acceptance of common norms and principles guiding political and economic action and policymaking.

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Managing military reform

In "Restructuring the Military" (*Issues*, Fall 2008), Lawrence J. Korb and Max A. Bergmann call the Pentagon "the world's largest bureaucracy," implying that it can be managed much like other

very large organizations. They then go on to discuss policies that they believe should be put in place, skirting the question of how such policies would be received in the many semiautonomous centers of power within the Department of Defense (DOD), which in reality is more a loose confederation of tribes than a bureaucracy. "Bureaucracy," after all, signifies hierarchy. Well-defined hierarchies do exist within the DOD, but they are found within the four services and the civilian employees who answer ultimately to the Secretary of Defense. Otherwise, lines of authority are ambiguous and contested, more so than in any other part of our famously fragmented government. To considerable extent, policy in the DOD is what happens, not what is supposed to happen.

Each of the services has its own vision of warfighting. Before World War II, this made little difference. Since then it has, and the stark contrast between chains of command within the services and the tangled arrangements for coordination among them affect almost everything the DOD attempts. Civilians find it hard simply to discern, much less unravel, conflicts within and among the services from which decisions and priorities emerge concerning, for example, acquisition (R&D and procurement), and if civilian decisionmakers cannot understand what is going on, except grossly, they cannot exert much influence over outcomes.

Korb and Bergmann laud the 1986 Goldwater-Nichols reforms for enhancing "coordination" and "cohesion" and call for extension of this "model" to the "the broader bureaucracy that oversees the nation's warfighting, diplomatic, and aid agencies." That seems wishful thinking. Indeed, many of the examples they adduce suggest that Goldwater-Nichols changed relatively little. As I argue in *Trillions for Military*

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