

Reflexive Governance

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Reflexive governance, as a new mode of governance, has been developed as a way to be more inclusive and more reflexive and respond to complex risks.

deliberative democracy

ecological reflexivity

reflexive governance

participation

regulation

risk

transparency

1. Introduction

The urgent need for sustainable development raises issues of governance since sustainability goals are subjected to heterogeneous perceptions and interests ^[1]. To reach necessary transformative change, there is a need to both properly understand this situation as well as find ways to manage it that are both politically legitimate and relevant to the environment. Although new modes of governance, such as reflexive governance, can increase participation and deliberation across the industry, government, and civil society sectors, thereby providing more legitimate decision-making, there is limited scholarly work that has examined the theoretical and empirical foundations of this assumption ^[2], let alone in the Global South. This includes the structures, power relations, and actions that may hinder the emergence of reflexive governance ^[3]. There is apprehension about the political implications of reflexive governance since its designs engage with real-world political contexts, which affect their workings and may weaken their efficiency. Additionally, there may also be worries caused by the democratic legitimacy of reflexive governance designs and the uncertain relationships with establishments of representative democracy ^[4]. There are further concerns that reflexive governance emerged from the 1990s and developed in an era in which neoliberalism was the dominant political discourse, with repeated efforts to reduce the nation state's power in favour of industry's self-regulation ^[5]. Swyngedouw and Kaika (2014) and Dagkas and Tsoukala (2011) note that neo-liberalisation makes it difficult for vulnerable groups to have equal access to good-quality environmental resources, and for procedural quality in decision-making to occur ^{[6][7]}. However, linked to neoliberalism, Rosenau notes that government institutions can evolve in such a way as to be minimally dependent on hierarchical, command-based arrangements (i.e., industrial deregulation and self-regulation; loss of governance functions by the state) ^[8]. Nevertheless, the point of this paper is not to engage in complex debates about the ills of neoliberalism or to provide solutions to neoliberalism. The authors believe that the solutions to neoliberalism must evolve through genuine discussions between civil society, government, and industry on moving towards sustainable development. As Luna (2015) states, the movement away from neoliberalism is about discussing the kind of development we want for our future, how basic needs will be secured for everyone, moving away from inequality and how these goals will be achieved

[9]. However, there is no doubt that reflexive governance will be important in these discussions, and there is a need to investigate how reflexive governance may be strengthened.

Reflexive governance may face several challenges such as how to treat and deal with the state's power, responsibility, boundaries, the withering manner of the state, the problem between state management and state governance, and the problem of long-term coexistence and positive interaction between state and society, etc. [4][10]. Modern approaches to reflexive governance may thus aspire technocratic approaches to governance, which give rise to institutions that yield instability, whilst ignoring environmental externality impacts [11] and lack the capacity to coordinate collective action due to non-hierarchical forms of governance [12]. The question is whether reflexive governance may be a hybrid mode of governance, interpenetrated by other modes, or if it exists alongside and/or in competition with them [13]. Therefore, reflexive governance is not straightforward and involves managing a plethora of contestations over sustainability and acknowledging that legitimacy is negotiated [14]. Limited research has explicitly investigated the potential for reflexivity to assist in understanding the politics of human–environmental impacts [11] and how reflexive governance unfolds or may potentially spiral into poor governance and risk ignoring or fragmenting divergent views [12] with reflexivity as one of the tenets of reflexive governance [15]. A major shortcoming of the existing literature on reflexivity is that the distinction between what reflexive governance is and what enables and/or hinders it is unclear [11]. If neoliberalism may influence reflexive governance approaches, then how may reflexive governance principles be safeguarded to ensure that they do not spiral into a technocratic approach or become paternalistic, thereby perpetuating risks?

2. Reflexive Governance, Participation and Deliberative Democracy

The concept of reflexivity arose due to the industrial society producing unforeseen and unintended side effects as a result of an unlimited faith in science, bureaucracy, and instrumental rationality [11][13][16][17][18]. In Beck's periodization of social change, simple modernity is associated with the development of industrial society, whilst the new, reflexive modernity is associated with the emergence of the risk society, in which progress can turn into self-destruction [19][16]. Fuelled by technical disasters, the scientific capacity to determine risks and propose viable ways to handle them has been questioned [20][21], as well as industrial expertise [15] concerning its interest and ability to shape structural change in society and technology [1]. Therefore, state governance is considered important in interventions to address unintended side effects and manage risks within the sustainability development paradigms. The theory of reflexive modernization does not include the demise of the state, which simultaneously remains both the agent and the subject of change. Although aspects of the nation-state have been undermined, the nation-state still retains a considerable role in the governance process. 'Governance', in turn, is recast as a mechanism for managing today's pervasive uncertainty. Reflexive modernisation allows for the recasting of 'governance' as a necessary, yet contingent, mechanism of managing uncertainty in contemporary societies [22].

Although 'governance' has diverse interpretations [23][24], modern approaches to governance are generally understood as the inclusion of the non-state stakeholders in decision-making [25][26][27][28] and emphasis of accountability, transparency, fairness, rule of law and ethical considerations by the state [13][29], whilst not relying on

technocratic and bureaucratic processes to manage developmental and policy processes [1][30][31]. This collective understanding of modern governance can be grouped under reflexive governance [4]. Reflexive governance, as a new mode of governance, is viewed as organising a response to the risks by replacing traditional, hierarchical, and deterministic governance approaches with more reflexive, flexible, and interactive ones, which draw on diverse knowledge systems [2][12][13][32]. Despite this understanding of reflexive governance, there is largely a lack of understanding about the nature and workings of the governance institutions that are necessary to effectively enable reflexive governance in society, to tackle industrial risks [3][33][34].

Participation and deliberation are central to reflexive governance and democracy, and to tackling development challenges [3], with reflexivity also associated with the principle of participation [14]. The concepts of governance and participation are interrelated, as governance is difficult to achieve if participation is insufficient. An essential component is enabling citizens to express their views, and to act on those views, facilitated through participation [35]; the more deliberate the process, the more reflexive governance is [3]. When in-depth information is not disseminated to citizens, participatory and deliberation mechanisms may be ineffective [36]. Formal participatory assemblies may sometimes be geared towards 'domesticating' and undermining the legitimacy of groups who choose to engage critically with local governments (and industry). This has the potential to revert to 'first generation' governance (i.e., traditional state-centered and technocratic regulation) and move away from the actual principles and values of reflexive governance.

For example, Wesselink et al. (2011) noted that impediments to participation may occur when environmental policies are not aligned with other policies and when economic interests prevail over environmental issues. Thus, 'participation fatigue' can occur, which is the failed embedding of new participatory governance in a bureaucratic structure that is not receptive to input from other stakeholders (e.g., civil society) [31]. To work towards sustainable development, the encouragement of knowledge inputs and participation from across society is not just an instrumental imperative, but an ethical imperative, since it is only based on interactive governance that it is possible to elaborate a development trajectory that reflects the fundamental needs of society at large [14]. When linking reflexive governance with 'deliberative democracy', participants can debate the various issues carefully and reasonably for democratic legitimacy to occur. Only after genuine discussions occur, can decisions be made. In this sense, the deliberative aspect corresponds to a collective process of reflection and analysis, permeated by the discourse that precedes the decision. However, despite the principles of interactive governance within a reflexive governance approach, there is no guarantee that government (or industry) will genuinely apply these principles.

Therefore, it is important to distinguish between genuine processes of participation and deliberation, as opposed to more tokenistic ones. It is useful to draw on the ladder of participation, as presented by Arnstein (1969), which is still useful in understanding the different types of participation. These are grouped into 'non-participation', 'tokenism', and 'citizen power'. With 'non-participation' (i.e., manipulation and therapy), the objective is to gain support for decisions that are already made. 'Tokenism', namely, informing, consultation, and placation, allows citizens to express their views but with no assurance that citizens' concerns will be taken into account. 'Citizen power' (namely, partnership, delegated power, and citizen control) increases citizens' decision-making powers. 'Partnerships' allow for power to be equally shared among citizens and power-holders. Regarding 'citizen control',

Arnstein notes that, although citizens demand a degree of power (for example, governing of a program or institution), a Model City cannot meet the criteria of citizen control, since final approval power rests with the city authority. Nevertheless, citizen empowerment suggests that direct democracy (the participation of citizens in decision-making) needs to be established on a 'partnership' basis, with citizens treated as equal partners in development and decision-making processes [\[37\]](#).

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