

## Article

# Global challenges and plurilateral engagement in the Indian Ocean world

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### Abstract

The Indian Ocean is the historic cross-roads of the world. On most measures—linguistic, religious, political, legal, and economic, among others—its diversity is unparalleled. While the region is home to perhaps the most strategically important state actors in an age of intense superpower rivalry, it is equally home to an astonishing range of nonstate actors whose influence and significance should not be underestimated. Many religious, indigenous, and local nonstate actors and networks have a long pedigree, sometimes dating back centuries. Layered on these legacy organizations are a vast range of contemporary nonstate, transnational regulators active in the region. These actors play an increasingly important but overlooked role in global governance and can be effectively engaged in situations where states are unable or unwilling to act. This article explores how Canada and nonstate actors based in Canada and beyond might engage plurilaterally with nonstate actors in the Indian Ocean region.

### Résumé

L'océan Indien est le carrefour historique du monde. Sur la plupart des mesures - linguistiques, religieuses, politiques, juridiques et économiques, entre autres - sa diversité est sans précédent. Et si la région abrite peut-être les acteurs étatiques les plus importants sur le plan stratégique à une époque d'intense rivalité entre superpuissances, elle abrite également une gamme étonnante d'acteurs non étatiques dont l'influence et l'importance ne doivent pas être sous-estimées. De nombreux acteurs et réseaux non étatiques religieux, autochtones et locaux ont un long pedigree, remontant parfois à des siècles. À ces organisations profondément enracinées s'ajoutent une vaste gamme de régulateurs transnationaux non étatiques contemporains actifs dans la région. Ces acteurs jouent un rôle de plus en plus important mais négligé dans la gouvernance mondiale et peuvent être efficacement engagés dans des situations où les États ne peuvent pas ou ne veulent pas agir. Cet article explore comment le Canada et les acteurs non étatiques basés au Canada et au-delà pourraient s'engager de manière multilatérale avec des acteurs non étatiques dans la région de l'océan Indien.

**Keywords:** nonstate actors; Indian Ocean region/Indo-Pacific; global governance; sovereignty; pluralism; transnational regulation; plurilateral diplomacy

**Mots-clés :** acteurs non étatiques; région de l'océan Indien/indo-pacifique; gouvernance globale; souveraineté; pluralisme; régulation transnationales; diplomatie plurilatérale

*For almost a thousand years after the fall of the Roman empire the Western side of the Indian Ocean ... was as much an entity as the Mediterranean, surpassing it in wealth and power. The arts and scholarship flourished there, in cities to which merchants came from all corners of the known world. (Hall, 1996, p. xxx)*

*To look at the climate crisis through the prism of empire is to recognize, first, that the continent of Asia is conceptually critical to every aspect of global warming: its causes, its philosophical and historical implications, and the possibility of a global response to it. It takes only a moment's thought for this to be obvious. Yet, strangely, the implications are rarely reckoned with—and this may be because the discourse around the Anthropocene, and climate matters generally, remains largely Eurocentric. This is why the case for Asia's centrality to the climate crisis does need to be laid out in some detail, even if it is at the cost of stating the obvious. (Ghosh, 2016, p. 87)*

## **Introduction**

The Indian Ocean is the historic cross-roads of the world. On most measures—linguistic, religious, political, legal, and economic, among others—its diversity is unparalleled. And while the region is home today to the most strategically important state actors in an age of intense superpower rivalry, it is equally home to a dizzying range of nonstate actors whose influence and significance is often overlooked. Many religious, Indigenous, and local nonstate actors and networks that have a long pedigree, often dating back centuries, are deeply embedded in the social, political, and legal fabric of many countries in the region. Layered onto these historical organizations are an equally vast range of transnational nonstate, multi-stakeholder regulators that are active in the region, some of which—notably, the Bangladesh Accord and the Roundtable on Sustainable Palm Oil (RSPO)—are familiar to many outside the region. These actors play an increasingly important but overlooked role in global governance and can be influential agents of change in situations where states are unable or unwilling to act.

This article explores how governments outside the region, such as Canada's, as well as nonstate actors in Canada or in other parts of the world, might engage with their counterparts in the Indian Ocean region on pressing global issues from the Covid-19 pandemic to the climate crisis. My overall claim in this article is that an ideal approach, particularly by those outside the region, would acknowledge the legacy of diversity in the region, the complexity and “wickedness” of contemporary problems within it, and the importance of state and nonstate actors. In so doing, it would recognize the importance of a plurilateral, multi-dimensional, and collaborative approach to “diplomatic” engagement, broadly conceived. This article begins with an overview of historical legacy of diversity in the region, before reviewing the concepts and controversies relating to the role of the modern state in contemporary governance. It then turns to the domestic and global drivers of policy changes and the practice of governance before considering the place of plurilateral engagement (Cerny, 1993)—by state and nonstate actors, at different levels or scales—in response to the most pressing global challenges of our time. It concludes by reflecting on the implications of plurilateral engagement for *agency* in global governance.

## **Background: historical context of thematic area**

In the late 1990s, a period that historians might, years from now, regard as the high-point of globalization in our era, it was commonplace to read or hear about the decline of the state. With the 9/11 attacks on the United States, and further amplified by Brexit, resurgent nationalism, and the hardening of borders during the Covid-19 pandemic, talk of the decline of the state has fallen out of fashion, particularly in academic circles. Researchers in many

disciplines are again stressing the continued importance of states (Hirschl & Shachar, 2019; Coe et al, 2020). Some argue that the state is not declining, even if it might be changing (Hirschl & Shachar, 2019). These debates over trends and trajectories can hardly be settled over years or even decades. Some trends, such as the rise and fall of empires (Burbank and Cooper, 2010) or even of great powers take place gradually, over centuries. In the context of this special issue, then, as we consider Canada’s engagement with the “Indo-Pacific,” it might be helpful to begin not years or decades back, but centuries.

Let me pause here to add a terminological caveat. This article features in a collection that includes papers that focus on China and East Asia. It is as clear today as in centuries past that regions, including “oceanic” regions, are interconnected. The terms we choose to use—whether “Asia-Pacific” or “Indo-Pacific”—are, of course, constructs (Köllner et al. 2022) and can be slippery and politically contentious at best (Hanlon and Lien, 2023). But a focus is necessary and choices must be made. I therefore adopt the term “Indian Ocean” and its variants in light of this article’s particular geographic, historical, and socio-legal themes as well as my own research areas and projects (which have focussed on Southeast Asian contexts, with some excursions into parts of South Asia—terms I also use advisedly). I understand the “Indian Ocean” term, in the spirit of the first epigraph in this article, referring to the vast littoral region stretching from Eastern Africa, through South and Southeast Asia, encompassing the many societies that have been linked historically, politically, culturally, commercially, and linguistically—directly or indirectly—through the maritime activities in the Indian Ocean.

However, I am mindful that this vast region is now and has for centuries been connected in multiple ways to China and eastern Asia and the Pacific among many others that will not feature as prominently in my account as it will in other articles in this volume. Such are the limits of approaching any subject in a globally connected way. A focus on a particular region and its outward connections should therefore be taken as that—not as an attempt to be “-centric” in one way or another but as a contribution to an incomplete picture that must be read alongside others. My aspiration, as John Bentley put it so well with reference to the chapters in a collection on world history he edited, is not “to replace Eurocentric with Sinocentric, Indocentric, or other ideological preferences ... so much as ... to decenter all ethnocentric conceptions” (Bentley, 2011: 11).

With this caveat in mind, I return to the rise of the modern state. It is an article of faith for some that the history of the modern territorial state began with a concept of sovereignty in the peace of Westphalia of 1648 that sought to settle religious and political rivalries in Europe. Some have pushed against this thesis by focusing on the practice of political actors in Europe pre and post Westphalia, rather than its supposed theoretical framing (Croxtton, 1999). Others have pointed to the history of the Confucian state in China as containing the seeds of the modern bureaucratic state (Owen, 2009: 205). Some elements of the modern state can certainly be traced by Westphalia or the Confucian state in China, However, in asking when the modern territorial state became normalized as the dominant legal and political authority over a particular territory, we might need to look to the end of the eighteenth century or early nineteenth century (Owen, 2009; Osborne, 2016). Research on the patterns of authority in the Indian Ocean world, before and even for centuries after the European maritime arrival in the fifteenth century, reveals that the idea of vesting exclusive, territorially-delimited political authority in a single entity was an unfamiliar idea. On the contrary, authority was much more porous, dynamic, and relativistic than our modern

conception would allow (Benton and Clulow, 2015). Although a comprehensive account is not possible here, three general observations are worthy of emphasis.

First, for most of the pre-modern history of the Indian Ocean world, a plurality of legal and political authority was the norm (Harding, 2001). While political power was projected over significant distances through mechanisms of empire (Burbank and Cooper, 2010), political authority also consisted of a multiplicity of local rulers. In eighteenth century Southeast Asia alone, it would be difficult to “think in terms of [fewer] than forty states—kingdoms, principalities and sultanates” and both “on the mainland of Southeast Asia and in the maritime world one would have to find some way of distinguishing between the states of real importance and those of which existed at the pleasure of their suzerains or overlords” (Osborne, 2016: 43).

Second, legal and political authority was only loosely territorial, if at all. Most forms of authority overlapped geographically in complex ways: “Early modern polities typically had plural jurisdictions that were overlapping or parallel; for all its power the state did not possess anything approaching a monopoly on legal authority, which was divided among a jumble of often competing jurisdictions” (Benton and Clulow, 2015, p. 89). This diversity was equally present in imperial structures, which, because of their “size and diverse ethnic makeup ... were naturally multi-jurisdictional ... with space within them for communities permitted by the sovereign to have jurisdiction over certain matters and members” (Benton and Clulow, 201: 50).

Third, the diversity of legal and political forms of authority and their overlapping nature was related not only to the projection of imperial power, but also to the extensive diaspora networks and merchant communities in the region (Trivellato, 2015). Older narratives “that portrayed all Asian traders as nothing more than small-scale, itinerant peddlers,” have been superseded by more recent studies that “have also uncovered the records of merchant communities originating in Asia that operated across Europe and the entire globe, further questioning the aptness of clear-cut labels such as ‘Europe’ and ‘Asia’” (Trivellato, 2015: 161).

The legacy of all this diversity and porous connectivity can be seen today when we consider the sheer richness and diversity of Asia on almost any measure, a diversity that reveals the often uneasy fit between the territorially-bound, secular legal and political structures of the modern state and the multitude of religious (Neo et al, 2019) and Indigenous communities (Special Rapporteur, 2020)<sup>1</sup> that co-exist within and transcend the territorial boundaries of modern states. In addition to these deeply rooted traditional communities, we also find contemporary nonstate organizations such as transnational private or hybrid (public-private) regulators—such as the Bangladesh Accord on Fire and Building Safety and the Roundtable on Sustainable Palm Oil, among many other multi-stakeholder initiatives—that seek to set and enforce standards across national borders. In an era defined by shifting trade and security alliances (the BRI, CPTPP, RECEP, the “Quad,” AUKUS<sup>2</sup>) against a backdrop of Covid-19 and climate change, it is critical to look beyond states and to acknowledge the immense diversity of the India Ocean region and the variety of actors that exercise agency in the region, with or without the assent of states.

## Concepts, approaches, and controversies

The rise of the modern state and its uneven and complicated place in the Indian Ocean world brings us to two conceptual problems and perspectives that bear on how governments and other actors might choose to engage with their counterparts in the region. How important is the state relative to nonstate actors on law, policy, and governance issues in the Indian Ocean region and more generally? How does a state's approach to nonstate actors relate to its conception of governance and its broader political structure? Although the answers to these questions will remain contentious, by framing the broad parameters of responses, we might better be able to appreciate the drivers of the many different forms of engagement in the region and the scope of options that might be available to those who seek to engage with it.

First, then, how important is the state within the Indian Ocean region? The mainstream approach in many disciplines—from international relations to political economy to law—has not always taken nonstate actors seriously, sometimes for reasons of scholarly or disciplinary methodological inertia, but also because, on some measures, the state remains a uniquely important actor. For example, with rising great power tensions in the Indian Ocean region, as well as in the South China Sea, the Taiwan Strait, and further north, in contested waters between China and Japan, some realists on both sides of the Pacific may well focus their energies on understanding the “hard” military power of states in a broad geopolitical context (Medcalf, 2020). Others might argue that despite the growth and economic clout of the world's largest multinational corporations and their complex production networks, states nevertheless have important tools at their disposal—not least as an ultimate guarantor, a regulator, a manager of the national economy, a national business owner, a provider of public goods and services, such as health, education, and infrastructure, and as an international investor (Coe et al, 2020).

Of particular interest is the intellectual push-back, particularly post-Brexit and in the era of the Covid-19 pandemic, against the assumption that the influence of the state over key policy issues is waning. Ran Hirschl and Ayelet Shachar have argued that although some economic activities “know no borders” and international organization and transnational standards “are proliferating,” these changes have “fallen short of dismantling a core element of the Westphalian order: the state's legal grip over its territory” (Hirschl & Shachar, 2019: 393). In their view, “[c]ore aspects of public law remain largely statist, especially those intensely focused on territoriality, a vital dimension of modern conceptions of sovereignty,” and on “key issues such as a country's control of natural wealth and resource allocation, citizenship and immigration, governance of religious and ethnic diversity, territorial integrity, populist politics, and democratic backsliding—let alone the intensely government-controlled military, policing intelligence, and surveillance domains—state sovereignty may be metamorphosing, but ... not vanishing” (Hirschl & Shachar, 2019: 393). As such, the “Westphalian roots and character” of the contemporary world are “very much alive” and

in an array of key policy areas, states and governments have adjusted themselves effectively to the new global era to maintain their sovereign stature and pursue their own domestic agendas, either independently or in collaboration with other states and international actors. In fact, with respect to some of the most pressing challenges of early twenty-first-century governance—international migration, environmental protection, urban agglomeration, or natural resource allocation (all of which require close international collaboration to be effectively addressed)—renewed state power,

and methodological nationalism more generally, protract, impede, or altogether prevent convergence on global solutions (Hirschl & Shachar, 2019: 393-394).

Taken collectively, these perspectives offer an important corrective to what might at times be seen as an exaggerated view of the waning influence of the state in contemporary times. These sceptical views are not a wholesale repudiation of the importance of nonstate actors; rather, they constitute a sensible call not to dismiss the role of the state. At the same time, however, it is clear that nonstate actors have proliferated in contemporary times and that, at least in the Indian Ocean region, the legacy of non state actors is a significant and enduring one. In the context of this region, three points are worthy of note.

First, it is helpful to view the importance of state and nonstate actors in *relative* terms, rather general ones. Some states are considerably more powerful than others—a point that is instantly obvious when we compare the Chinese state in our contemporary times with a state such as Myanmar in 2021, following the coup, where opposition groups, ethnic minorities, and various other nonstate actors have challenged the legitimacy of the military government and its grip over the country. Moreover, even if some states are more powerful than a “post-Westphalian,” post-territorial view of the state might imply, there might well be a dissonance between state power and territory in other ways. For instance, the ability of some states to project their political, economic, and even military power well beyond its borders, thereby constraining the policy space of other states (Carrai, 2019), might suggest that state power transcends borders in ways resembling imperial political structures (Burbank and Cooper, 2010).

Second, on some issues and policy challenges, nonstate actors have become important precisely because of the overbearing influence of states. The Forest Stewardship Council (FSC) is a classic example, having been formed in response to the perceived inaction of states on deforestation at the Rio Summit in 1992 (Meidinger, 2006). The weak capacity of states is also at the root of the Bangladesh Accord, which was established in 2014 in response to the Rana Plaza garment factory collapse in Dhaka, which left 1,129 factory workers dead (James et al, 2019; Hanlon and Brydges, 2023). When states and powerful economic actors are cooperating, nonstate actors and transnational regulators can provide an alternative source of norms and regulations, often bypassing ineffective state institutions (Ramraj, 2019). Transnational nonstate institutions such as the Equator Principles can also provide a set of surrogate standards when states refuse to enforce social and environmental standards (Ramraj and Tengaumnay, 2022).

Third, on yet other issues, such as climate change and the Covid-19 pandemic, and despite the hardening of borders, nonstate actors such as scientists, professional associations, and civil society organizations can be powerful generators of norms, such as infection containment policies, or sites of resistance to intransigent governments in relation to climate change. Although sometimes mediated through state agencies such as centres for disease control or public health officials, during the Covid-19 pandemic, the scientific community has been an important source both of government, community, and individual responses to different waves of the pandemic, even amid scepticism and resistance (Ramraj, ed., 2020). In some cases, “intermediaries, from civic organizations to for-profit companies, to exert normative pressures toward compliance” with public health recommendations (Weible et al, 2021, p. 236). In like fashion, the withdrawal by the United States from the Paris Agreement in 2019, prompted a coalition of “over 3,800 American businesses, states, cities and other

entities” to form an organization, “We Are Still In,” to continue to pursue the goals of the Agreement (McLaughlin and Steer, 2019).

In the next section of this article, we will see how complex challenges such as climate change can serve as drivers for a more pluralistic form of engagement globally, particularly within the Indian Ocean region. However, a second conceptual point concerns the relationship between a government’s engagement with nonstate actors and its political ideology and structure. Some researchers working on transnational governance in Southeast Asia have noted the limited tolerance, even hostility, of some governments in that region “for the activities of autonomous nonstate actors” (Breselin & Nesadurai: 190). In this context, the involvement “of civil society, business networks, scholars or experts in governance is usually ... tolerated [only] if their demands and actions do not fundamentally undermine or challenge the power and authority of states” (Breselin & Nesadurai: 190-91). These considerations do not apply evenly across Southeast Asia, let alone the broader Indian Ocean region. Nevertheless, it is worth observing that the space for civil society to operate, at least openly, might be closely tied to the state’s political regime, and its relative openness to the involvement of other actors in governance issues and processes. There may well be situations—such as in Myanmar after the 2021 coup—in which civil society groups become active in, for example, public health governance where government officials are unable or unwilling to lead (Mon, 2021). Conversely, there might equally be times when state-owned companies that do not normally engage with nonstate actors domestically might, legally and practically, be required to do so when venturing abroad—as Chinese state-owned companies found it necessary to do in a major railway infrastructure project in Kenya (Liu, 2021).

Although a foreign state’s engagement with nonstate actors might in some contexts need to proceed cautiously so as not cross the line into interference in domestic affairs, the willingness of states to engage nonstate actors might itself reflect its own political ideology and its openness to nonstate actors and pluralistic forms of governance at home. And, of course, it has long been acknowledged that apart from direct state-to-state engagement, known as “track-one,” there are many other forms of diplomatic engagement, including “track-two” processes that “build transnational civil society that operates independent of governments, track “track one-and-a-half” meetings that might be “designed and led by governments but with nongovernmental participations,” as well as “track three” processes “organized by civil society actors and NGOs, sometimes with academic experts present, intended to influence governmental action but far removed from government” (Evans, 2009: 1030-31).

### **Drivers of policy**

While the case for the continued relevance and influence of the most successful and powerful modern states is compelling—and we can accept that, as a more general proposition, the state is not declining but changing (Hirschl & Shachar, 2019)—there are several considerations that nevertheless point away from an exclusively statist approach to diplomatic and other forms of transnational engagement in the Indian Ocean region. On the one hand, in the Canadian context, there is a growing appreciation of a complex landscape of governance. The complexity can be seen in a significant policy role on the part of civil society organizations as part of a vibrant polity, marked by, among others, the role of local and municipal governments, universities and academic communities, diaspora communities,

First Nations communities, feminist groups, and businesses. On the other hand, despite the caveats noted earlier regarding the continued significance of states, as we saw in the previous section, the nature of global challenges increasingly calls for complex, plurilateral responses—whether in the context of the climate crisis, a pandemic such as Covid-19, supply chain disruptions, and other wicked problems (Brown, 2010). These considerations show why multi-level engagement in the Indian Ocean region is not only a good idea for the reasons Paul Evans and others suggested during the most recent high-point of globalization but remains an important part of a deliberate and nuanced strategy of global governance and diplomatic engagement.

Let's begin with the domestic context. The notion of multi-level governance is well-developed territory in Europe, particularly in the context of the European Union, but it is also an idea that resonates in Canada, both in theory and practice; it is recognized to include not only regulation at the federal and provincial levels, but also at the international, local or “city-metropolitan,” and Indigenous or First Nations levels (Doern and Johnson, 2006: 7) across a range of different regulatory domains, including forestry, migration, and water management (Shivakoti et al, 2021). Other contributors to this special issue demonstrate, in the Canadian context, the important role of local and municipal governments in forging cooperative relationships with their counterparts abroad outside of the framework of central governments (Harrison and Huang, 2023). Another important aspect of the “domestic” context is the role and growing agency of Indigenous communities, not only in relation to regulation and self-governance, but also in “the emergence of Indigenous peoples’ participation in international trade and investment and how it is shaping legal instruments” (Borrows and Schwartz, 2020, 2). Indeed, the participation of Indigenous communities in international advocacy across the Pacific has a decades-long history through organizations such as the Pacific Peoples’ Partnership (<https://pacificpeoplespartnership.org/>), founded in Victoria, Canada/Coast Salish Territory in 1975 “during a time of widespread social concern over nuclear testing in the Pacific” (Pacific Peoples’ Partnership, 2022).

In addition to local and Indigenous governance, Canada’s demographic diversity, and particularly, its many diaspora communities, adds an additional level of complexity to Canadian politics, particularly in relation to foreign policy (Carment and Bercuson, 2008). Engagement of diaspora communities in this way can be seen as consistent with Canada’s democratic political values and inclusive policy-making, as well as a source of “special kinds of expertise, knowledge, skills and connections that can benefit [diasporic Canadians] countries of origin, and which Canada can use to advance its international goals” (Brender, 2011: 11). It can help to bridge both countries’ economic interests (Ho and McConnell, 2009: 243). But it is also approached with trepidation: the diaspora communities’ liminal position between “domestic and foreign worlds brings with it the potential for creativity and innovation in the field of diplomacy, but also unease and disruption” (Ho and McConnell: 244). In recent years, for instance, diaspora communities in Canada have been active in the politics of their homelands, often with complex social and political consequences, at home and abroad, in relation to Sri Lanka, India, Myanmar, and Afghanistan (George, 2011; Cowper-Smith, 2019; Hume, 2015; Fong and Saar, 2022), to mention a few examples.<sup>3</sup> Diaspora communities are also themselves heterogeneous, raising complex questions about who speaks for the community (Ho and McConnell, 2009: 248) or the multiple communities that might be understood to constitute them. It also gives rise to the “problem/perception of dual loyalty” (Shain, 2007: 141)—perceptions which have led, in Canada, to its



unconscionable treatment of Japanese-Canadians during and after the Second World War (Stanger-Ross, 2020). All that said, while governments might at times be reluctant engage diaspora communities, these communities can exercise agency in their own right. Diplomacy not only “through” but “by” diaspora communities can be understood as a distinct mode of diplomacy (Ho and McConnell, 2009: 237; see also Shain, 2007).

In addition to diaspora communities, recent studies have examined the role of other “border-crossing” nonstate actors—including “overseas Canadian populations; students studying, interning or volunteering abroad; internationally active business firms and business elites; business executives and scholars; transnationally active NGOs and social and political movements; transnationally engaged faith-based organizations; and the transnational activities of labour; cultural, and sports sector actors” (Henders, 2021: 319; references omitted)—in relation to Canadian foreign policy. Activities on the part of these nonstate actors to “represent, communicate, report on, negotiate with, and promote better relations between entities with standing in world politics” has been described as “polylateralism” (Wiseman, 2010: 27) or—as noted earlier—“plurilateralism” (Cerny, 1993) to distinguish it from more state-centric forms of bilateral and multilateral diplomacy.

Layered onto these domestic factors is Canada’s feminist foreign assistance policy, an initiative of the Trudeau government that entered the national lexicon in 2019 (Chapnick, 2019), and reflects a broader effort, on the part of governments in Sweden and Norway, among others, to establish “new patterns of foreign policy practice and discourse through a feminist lens,” placing “at the centre of the analysis such things as gendered discrimination, inequalities and violence as well as the lack of inclusion and representation of women and other marginalised groups” (Aggestam et al, 2019: 24). This cosmopolitan approach to foreign policy does “not differentiate between insiders and outsiders and [assumes] that the same morality applies within and beyond the confines of the state”; rather, it promotes international ethical practice by focussing on “the empowerment and protection of women and girls, the reduction of gendered inequalities and violence, as well as uncovering the experiences and stories of other marginalised groups” (Aggestam et al, 2019: 25-26), even though the means of doing so, by engaging formal international bodies or private actors, might differ (Thomson, 2020).

These examples point to the complex domestic drivers of a more cosmopolitan and less statist (but clearly not stateless) approach to international engagement. They also show, from a domestic perspective, the inter-local and transnational aspects of the activities of domestic local, Indigenous, and nonstate actors on a range of policy issues. In some respects, then, it is artificial to draw a bright line between the domestic and global context. Economic geographers highlight the importance of “integrating many different *scales*” in analyzing problems such as environmental sustainability, shifting, for instance, from the body, the home and workplace, the local, urban, and region scales through the national, macro-regional, and global scales (Coe et al, 2020: 29). Economic processes, they remind us, “work at *multiple scales simultaneously*,” so that “trying to understand a set of processes at one scale alone will inevitably produce a very incomplete picture of what is happening” (Coe et al, 2020: 30).

The Paris Agreement, mentioned earlier in relation to the complexity of global governance processes, offers one example of how the multiplicity of actors, state and nonstate, at multiple level can be actively involved in addressing global challenges in multi-scalar and plurilateral way. Although not without its critics, the 2015 Agreement was unique in its

approach to the climate crisis not only in its voluntary, but ratcheting approach, to climate pledges on the part of states, but also in the role it accorded to nonstate actors. That approach has been characterized as a “hybrid system that combines bottom-up with top-down elements” (Faulkner, 2016: 1120). In particular, the Paris Agreement involves monitoring, naming, and shaming by civil society, as well as a critical role for companies by creating incentives to change “the direction of technological innovation, R&D expenditure and investment flows” (Faulkner, 2016: 1120) to align with the treaty’s objectives. In contrast, then, with state-centric international organizations, the Paris Agreement envisions an important leadership role for nonstate actors, “most notably business organizations and NGOs that come together to establish transnational climate actions and voluntarily cooperate to pursue low-carbon strategies,” with the Agreement “providing a supportive environment in which innovative initiatives can be encouraged and nurtured” (Faulkner, 2016: 1125).

The Paris Agreement’s approach to the involvement of nonstate actors, both in its conception and its implementation, as part of the United Nations Framework Convention on Climate Change, is equally apparent today in the philosophy of global development reflected in the UN’s Sustainable Development Goals (SDGs). While the first 16 goals cover a range of substantive objectives ranging from “No Poverty” (Goal 1) to “Peace, Justice, and Strong Institutions” (Goal 16), the seventeenth goal, abbreviated “Partnership for the Goals,” is not a substantive aim, but rather speaks to practical approach to realizing the other goals. In full, Goal 17 aims to “strengthen the means of implementation and revitalize the global partnership for sustainable development” (United Nations, 2022). The SDGs “explicitly acknowledge the interconnectedness of the prosperity of business, the prosperity of society and the prosperity of the environment” and they “represent a fundamental shift in approach, naming all societal sectors as key development actors, and requiring an unprecedented level of cooperation and collaboration among civil society, business, government, NGOs, foundations and others for their achievement” (Prescott & Stibbe, 2015: 3). It recognizes that the lofty goals set out in the SDGs can be realized only through partnerships and collaborations across multiple sectors or stakeholders, not by actors (or even groups of actors within a particular sector), however powerful in their own right, acting alone.

### **Trajectory: plurilateral engagement and partnership**

The central theme of this article is that Canada’s engagement with the Indian Ocean region might usefully be framed, not merely as government-to-government engagement, but rather as a range of different vectors and configurations: at the most abstract level, it might involve government to civil society, civil society to government, and civil society to civil society interactions. But “government” and “civil society” are themselves complex, so the plurilateral vectors quickly multiply. Different levels of government—in the Canadian context, from federal to provincial to municipal to Indigenous, diaspora, and gender-based communities—might engage with different levels of government or international bodies in the Indo-Pacific in a variety of ways. So too might civil society or nonstate bodies, including transnational regulators, professional associations, universities, businesses, NGOs, religious organizations, charitable foundations, and many others.

Some models of multi-track diplomacy also offer a helpful approach to engagement, particularly when they acknowledge the multitude of actors that can usefully be engaged in

pursuing common global interests. But the language of multi-track *diplomacy* might be misunderstood to imply that these forms of engagement are necessarily state led. Although there is much that governments—particularly those committed to pluralism domestically—might do to facilitate nonstate actors in engaging with their counterparts globally, many initiatives that fall under the rubric of global governance or transnational regulation might engage governments only peripherally or might, as we have seen with the FSC, develop in response to government inaction. Complex forms of governance, networking, and engagement might also be necessary in the face of power imbalances between states or in the shadow of great power rivalries. In this and other related contexts, the language of “transnational communities” might help us to see “law’s regulation population and its interpreters not just in terms of a national community ... but in terms of transnational communities of many kinds” (Cotterrell, 2008: 5).

The argument in this article is not that states are unimportant. We should not be too quick to write off the state, even as we acknowledge its *relative* power. However, particularly in the Indian Ocean region, with its long history of pluralism and diversity, plurilateral engagement by and with multiple actors on multiple scales—with the possibility of coordination where feasible—is an effective strategy for dealing with at least some of the most pressing global challenges. Although some governments, including a handful in the Indian Ocean region, might simply impose their will on their subjects, most governments across the political-ideological spectrum recognize that their political legitimacy depends on buy-in, or at least acquiescence, to their policies across a broad cross-section of the population.

Considered in this light, transnational engagement across multiple constituencies on global issues has the potential to shift policy at the highest levels. It is perhaps, for this reason, that many governments that are wary of losing control of their political agendas might be reluctant to allow too much room for nonstate actors (Breslin & Nesadurai, 2018). And yet, in the Indian Ocean region, the legacy of nonstate actors is readily apparent, whether in the activities of local actors in Myanmar to respond to the Covid-19 pandemic (Mon, 2021) or of Muslim religious leaders in Singapore, Malaysia, and Indonesia to champion environmental causes and corresponding Islamic legal principles among their followers (Ramlan, 2019). Complex problems—from the Covid-19 pandemic to the climate crisis—require complex, multi-scalar solutions, which in turn require creative, plurilateral forms of engagement and partnership.

## Conclusion

The goal of this article has been to bring into view the significant role that nonstate actors play and have played and can play on matters of global concern, why these actors matter, and why they should figure prominently when thinking about global issues even (but not exclusively) from a state-centred, foreign policy perspective. Although the discussion has not structured around the question of *agency*—a key theme in international relations scholarship (Braun et al, 2019) that features prominently in this special collection—it is implicit, and occasionally explicitly mentioned, throughout this article. I conclude this article with three brief points on the topic.

First, in my disciplinary base in law and policy, as in international relations and many other disciplines from history to migration studies to economic geography, there has been a

sustained methodological shift away from methodological nationalism with its singular focus on the state. This shift enables us to frame and analyze theoretical problems or practical challenges in a way that allows us to see how a variety of actors can make a difference, and exercise a modicum of agency, at different levels in the face of complex problems and situations.

Second, the state remains a central actor in the region and beyond and globally, and is unlikely to fade away (Coe et al, 2020). However, effective engagement on global problems, including environmental problems, often requires that states acknowledge the significance of nonstate actors and adopt an “orchestrating” role, enabling nonstate “governance intermediaries” such as “businesses, NGOs, and other transnational actors ... to tackle problems they cannot fully address themselves” (Hale, 2020: 210). Conversely, nonstate actors might come to appreciate and leverage the potential of the state system (Wiseman, 2010: 31). Acknowledging the complex relationships between state and nonstate actors might help to push beyond the “dualism” implicit in agent-structure thinking (Bruan et al, 2020: 792) toward a more plurilateral approach (Cerny, 1993).

Finally, this article also suggests that state intransigence on an issue need not be the end of the story. Nonstate actors can exercise agency by finding creative workarounds, even temporarily, and building broad coalitions to keep global issues and agendas alive when some states step back. State intransigence is not unique to the Indian Ocean world. With its centuries-old history of pluralism, diversity, and innovation, the Indian Ocean region, and Asia more broadly, is a natural place to seek inspiration.

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## Notes

<sup>1</sup> According to the Special Rapporteur’s report, “Asia is the continent with most of the world’s indigenous peoples. More than two thirds of the world’s indigenous peoples live in the region. While estimates vary – among other reasons, due to the inconsistent national terminology used to describe indigenous peoples and the challenges indigenous peoples face in terms of self-identification – approximately 400 million indigenous peoples live in Asia. Indigenous peoples in Asia include those referred to in national legislation and policies as tribal peoples, hill tribes, ethnic minorities, natives, customary communities, scheduled tribes and Adivasis”: *Regional consultation on the rights of indigenous peoples in Asia: Report of the Special Rapporteur on the rights of indigenous peoples* (2020), A/HRC/45/34/Add.3 (para. 4).

<sup>2</sup> These initialisms, acronyms, and abbreviations refer respectively to China’s Belt and Road Initiative, the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, the Regional Comprehensive Economic Partnership, the Quadrilateral Security Dialogue, and Australia-United Kingdom-United States Security Pact.

<sup>3</sup> As this special issue was going to press, another diplomatic crisis arising in the Canadian diaspora was brewing: Canadian Prime Minister Justin Trudeau declared in Parliament that the Canadian government was investigating “credible allegations” of the involvement of the Indian government in the killing of a Canadian citizen, Hardeep Singh Nijjar outside the Guru Nanak Gurdwara in Surrey, BC. See: Reeta Tremblay. “The fraught history of India and the Khalistan movement.” *The Conversation*, September 25, 2023. <https://theconversation.com/the-fraught-history-of-india-and-the-khalistan-movement-213956>

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While this article was undergoing peer review, the author was appointed as an adviser to the co-chairs of the Canadian government’s Indo-Pacific Advisory Committee. It was not subsequently

revised except editorially and in response to reviewers' comments. Any views expressed in this article are those of the author only.

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