

My last blog post told the story of the original top-down approach to climate policy. It was supposed to feature binding restrictions on carbon emissions in a global treaty and federal legislation. By 2012, it was plain that neither half of this "Plan A" strategy was in the offing. Building on trends that had begun in the previous decade, however, a new bottom-up approach took hold.

Rather than waiting for global agreement, as many policy analysts had advised, individual jurisdictions and groups of jurisdictions had already begun to take the plunge on their own. The EU was a global leader and had pulled together support from some other developed countries in the Kyoto Protocol. Within the US, California had already staked out its own path in climate policy.

These measures were originally seen as stop-gaps until comprehensive mandates were in place internationally and in the US. It became clear, however, that those comprehensive mandates were unlikely to happen any time soon.

The new approaches crystalized during the Obama Administration. At the international level, a much ballyhooed global conference in Copenhagen failed to produce a binding agreement. With the help of dramatic personal intervention by Obama, what came instead was the Copenhagen Agreement, a non-binding framework that called for developed countries to submit their own emission targets. At the time, this seemed like a failure. But it set the stage for the later Paris Agreement, which calls for nations to submit their own targets but also includes developing countries like China.

After the failure of climate legislation in Congress, the Obama Administration also doubled down on agency action. The Clean Power Plan was the best known of the Obama efforts, but it was far from the only one. Despite the rollbacks during the Trump years, these actions succeeded in helping to set the US energy sector on a new course.

State regulations, which had seemed liked stepping stones toward federal legislation, took on a bigger life of their own. This could no longer be dismissed as just another crazy California initiative as other states adopted ambitious targets for renewable energy and other climate measures. Rather than being discouraged by Trump's opposition to climate action, state efforts redoubled during his presidency.

Since legislating mandatory emission limits still seems politically impossible, Congress went in a different direction with a 2022 bill providing massive funding for

climate action. Many observers had completely written off Congress as a player in climate policy due to political gridlock. By using spending legislation, Senate supporters were able to work around the filibuster rule. It was also a way to accommodate Democratic moderates like Joe Manchin whose votes were needed to pass the bill. It's notable, however, that the result was funding for efforts by industry and the states to cut emissions rather than a federal mandate. Nevertheless, the bill will profoundly reshape the energy industry and significantly cut emissions.

In retrospect, the major stumbling block to the top-down strategy seems clear: It overlooked just how different individual jurisdictions were from each other. Internationally, a global agreement would need to win support from countries as diverse as Russia, Germany, the US, China, and Saudi Arabia. Even within the US, states were very differently situated in terms of production of fossil fuels and reliance on them for industry and generating electricity. Ideology as well as national interests divided jurisdictions both internationally and within the US.

The failure of the top-down approach may not have been inevitable, but it was more of a long shot than people realized at the time. There were simply too many players with divergent interests and ideologies. It's not surprising that "Plan B" had to be used.

Maybe, as the world's energy system moves away from fossil fuels, we will arrive at a sufficient consensus to support a move toward more uniform requirements at the international level and within the United States. Plan B may then look like a transition measure. Or maybe Plan B will be successful enough on its own to eliminate the need for uniform requirements. Either way, Plan B is what we have, and our task right now is to make it work.