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HOW TO CONFRONT NO ORDINARY DANGER

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Would states ever be justified in availing themselves of “authoritarian” emergency powers to address climate change? At the core of Nomi Lazar and Jeremy Wallace’s essay is this question—to which their answer is a resounding *no*. In support of this position, they make three essential claims: 1) emergency powers are inherently dangerous and so ought to be avoided except in situations of extreme urgency and necessity; 2) climate change is *not* an emergency—that is, *not* a situation of sufficient urgency and necessity; and 3) ordinary “democracy” is sufficiently well equipped—and certainly better suited than “authoritarian”¹ alternatives—to address climate change *without* recourse to emergency powers.

I am unaware of any credible scholar who contests their first claim, including those putative “advocates of climate authoritarianism”—a group that, to my surprise, is said to count me as a leading proponent²—against whom Lazar and Wallace position themselves. Given the authors’ contentions, however, I will briefly clarify my actual position, which closely aligns with that which Lazar defends in earlier work.

The more important debates concern Lazar and Wallace’s second and third claims. Regarding the former, I argue, contrary to Lazar and Wallace, that there are highly compelling reasons for regarding climate change as an emergency. This, at least, is the view shared by the

overwhelming majority of the scientific community, as well as an increasing number of governmental authorities the world over.

As for Lazar and Wallace’s third claim—which amounts to holding that the kind of liberal-“democratic” approach one finds in wealthy, Western states is not merely sufficient but the *best* option we have for confronting the climate problem—I again disagree. For even if we accept the narrow range of choices they presume—namely, that we can only pursue climate action as the liberal West does *or* as fully authoritarian regimes do—there is simply no empirical evidence that establishes the superiority of one approach over the other. More critically, though, I see no reason to accept this false dichotomy. A third possibility, I will suggest, involves reclaiming public authority through targeted, disruptive activism and the establishment of duly empowered citizens’ climate assemblies. Fully realized, such an approach would, I argue, be far more democratic than the status quo in the West, and yet, paradoxically, may involve exercising power in ways that some are likely to regard as authoritarian.

* * *

Throughout the essay, Lazar and Wallace insist (rightly and uncontroversially, I believe) that emergency powers ought “to be locked away *for emergencies*.” More specifically, they argue, emergency powers can only be justified when “strictly necessary,” which means when states are facing situations that are so “urgent and dangerous” (and also “sudden and temporary”) that “normal” legislative responses are “impossible or inappropriate.”

While this is presented as a counter to putative “advocates” of authoritarianism, I am not actually aware of anyone who rejects Lazar and Wallace’s essential point: that emergency powers

are only justifiable *when and to the extent that* they are demonstrably necessary. I certainly do not. On the contrary, I have argued repeatedly that, for emergency powers to be legitimate, they “must be *necessary*—that is, no other viable options remain for responding to the crisis at the speed or scale required”; they “must have a reasonable chance of achieving their goal,” which is concluding the emergency; and that they must be proportional—that is, “exercised only to the extent necessary for, and in the domains relevant to, responding to the” situation at hand.³ I have also claimed that other constraints would be defensible, including those of transparency and accountability.⁴ And notably, in articulating these limits on emergency power, I have drawn directly on Lazar’s work; and thus, my agreement with the view that she and Wallace present is a matter of public record.

Unfortunately, Lazar and Wallace’s failure to consider these points leads them to misinterpret my views, sometimes gravely. For instance, in a portion of their essay reproduced almost verbatim from a blog post that Wallace penned in 2022,⁵ the authors suggest that I would regard “forced abortions and sterilizations” of the sort associated with China’s One-Child Policy as “useful climate policies” and so legitimate, which speaks to the “strong(man) pedigree” of my argument. The entire textual basis for this outrageous deduction is the following one-line observation in my recent book: “Policies aimed at limiting reproduction may also become necessary [in the context of catastrophic climate change], particularly in high-emissions countries like the US.”⁶ The policies I had in mind were simply those that guaranteed, and in some cases promoted: free and open access to contraceptives and family-planning services, the targeted use of tax or economic incentives to discourage family sizes over the replacement rate, and expanded educational and employment opportunities for women.⁷

While I was perhaps mistaken in not spelling this out, I assumed it was sufficiently well established that such policies represent the most effective means of curbing population growth

(which, it bears mentioning, is widely regarded as necessary for mitigating climate change).⁸ After all, as even the authors note, “decreased fertility” rates in China—as in the rest of the world—are “better explained” by factors such as “economic growth.” Granting this, there is no reason to think coercive and cruel measures—such as “forced abortions and sterilizations”—are (or could ever be) justified in my view, which again requires meeting standards of necessity, likelihood of success, and proportionality.

Even if this inference proved a step too far, Lazar and Wallace might have considered the many direct claims I make to this effect throughout the book. For instance, I stipulate at the outset of the same chapter that “no environmental policy—however effective or direly needed—is sufficient to legitimate a regime that commits horrifying violations of human rights like the chattel slavery of women.”⁹ I also state explicitly that, “however admirable its commitment to climate action may be, a fully authoritarian regime (like China’s) cannot, on that ground alone, be considered normatively legitimate.”¹⁰ Unfortunately, Lazar and Wallace neglect these points, leading them to misconstrue my position on this and other issues.¹¹

Is Climate Change an Emergency?

Setting this aside, Lazar and Wallace might respond that any apparent convergence between their position and mine would quickly fall apart if we were to dig deeper into the question of whether climate change counts as a genuine emergency. Lazar and Wallace think it is not. I disagree.

For Lazar and Wallace, an “emergency in the politically salient sense is a technical and legal construct,” by which they mean it “comes into being only through a decision made by the

appropriate authority, plus a proclamation that meets specific legal criteria.” The relevant legal criterion, is that of “necessity”: a given situation becomes an emergency, Lazar and Wallace assert, when the “proper authorities” find that it is “impossible” to address it “through ordinary means” but “a reasonable chance that the situation can be addressed if the government resorts to special legal means.” In effect, then, Lazar and Wallace endorse something like the inverse of Carl Schmitt’s well-known view. For Schmitt defines the sovereign (i.e., the “proper authority”) as that agent who decides on “the exception” (namely, what counts as an emergency warranting extralegal measures), whereas Lazar and Wallace argue, in effect, that emergencies are whatever situations the proper authority designates as such. The critical concept of “proper authority” is not well operationalized, apart from the authors’ repeated insistence that declarations made by politicians at the behest of climate activists are not valid (a point I return to below).

There are two sets of features that render emergencies impossible to address in ordinary ways, according to Lazar and Wallace. The first, urgency and danger, are common to most accounts of emergency. The second set, suddenness and brevity, are more ad hoc and not well defended; their purpose, as far as I can tell, is simply to provide a minimal conceptual basis for denying that climate change is an emergency. As the authors explain: “The climate situation is urgent and dangerous, but it is not sudden and temporary. There is time to make laws.” Thus, when they later pose the rhetorical question, “Of those who insist that the climate situation really is an emergency and that we must respond to it as such, we ask: Is it?” their view is already sufficiently clear: *No*, climate change is *not* an emergency.

Lazar and Wallace are surely right that climate change has not suddenly arisen, nor are its effects likely to be temporary. But is this enough to reject counting it as an emergency? I think not. Consider a hypothetical analogy: Scientists discover an asteroid that is highly likely (although not

certain) to hit Earth by the end of this century. If this comes to pass, there is a great—though, again, not necessarily certain—probability of catastrophic harm, including the extinction of most life on the planet and the collapse of human civilization. These extreme harms can be avoided or at least greatly mitigated through sweeping, multilateral actions undertaken immediately and continued over the next several decades. Should this situation count as an emergency—and, crucially, one capable of legitimating “special legal” interventions—despite the fact that it is *not* sudden and the measures needed to address it will *not* be temporary? I think so.

It is worth considering how closely this imagined scenario lines up with that of climate change. A report very recently published in a leading natural-sciences journal begins: “We are on the brink of an irreversible climate disaster. *This is a global emergency beyond any doubt.* Much of the very fabric of life on Earth is imperiled.”¹² This report is an update of one first published in 2019 (notably titled “World Scientists’ Warning of a Climate Emergency”), which was cosigned by more than 16,500 climatologists.¹³ These reports are not unique. One can now find any number of articles documenting the “existential risks” posed by climate change, including the increasingly plausible threat of wholesale societal collapse.¹⁴

Natural scientists are not alone in sounding the alarm. Economists, too, are increasingly attentive to the catastrophic potential of climate change.¹⁵ One widely discussed recent study, for instance, shows that:

[I]n terms of output, capital, consumption, and thus welfare, climate change is comparable in magnitude to the effect of the 1929 Great Depression in the United States. However, climate change is *permanent*. Thus, the losses from living in a world with climate change relative to a world without it are comparable to living in the 1929 Great Depression, *forever*.¹⁶

These risks have not gone completely unheeded by governments. As the authors themselves note, some 2,364 jurisdictions in forty countries—a number which includes eighteen national governments and the EU—have formally declared a climate emergency.¹⁷ Even the U.S. White

House released a National Security Strategy in 2022 that claimed: “Of all of the shared problems we face, climate change is the greatest and potentially existential for all nations.” Many international institutions, including the World Bank, have similarly warned of the enormous catastrophic potential of climate change.¹⁸

Distressingly, our time window for preventing devastating climate outcomes is rapidly closing. According to the UN’s Intergovernmental Panel on Climate Change, to have even a 50 percent chance of limiting global warming to 1.5°C over preindustrial levels—a target endorsed by virtually all states and widely regarded by the scientific community as necessary for preserving relative climatic stability and avoiding some of the most calamitous “tipping points”—total annual emissions must fall 80 percent by 2030, and 100 percent by 2050. This will require nothing less than “rapid, far-reaching and unprecedented changes in all aspects of society.”¹⁹

Taking all this into account, it certainly *seems* as if climate change represents an emergency of immense—even unparalleled—danger and urgency. That Lazar and Wallace would deny this—and thereby position themselves against the overwhelming consensus of climate scholars, credible international institutions, and, perhaps most problematically for their view, a great number of governmental authorities—is striking, and, I think, critically undercuts their argument. For even if we accept their narrow, technical conception of emergency—according to which, again, emergencies are simply those situations that the authorities choose to designate as such—we need a plausible explanation as to why some governments have declared climate change an emergency, as well as a defense of why others have not. Attentive to this, Lazar and Wallace are at pains to cast those climate-emergency declarations that states have already made as confused “symbolic” gestures “semi-coerced from the lips of politicians” by populist protesters, and to insist that business-as-usual climate governance in the liberal West is fully capable of delivering us from

catastrophe. This is ultimately a claim about *necessity*: For Lazar and Wallace, climate change is not an emergency—and thus climate-emergency declarations are not legitimate—because the problem is not so dangerous or exigent as to exceed the normal response capacities of liberal-“democratic” governments.

Is the West’s Status Quo Truly Our Best Hope?

Here, then, we arrive at Lazar and Wallace’s most essential claim: that even the *extraordinary* threat of climate change can be effectively addressed by *ordinary* “democratic” governance—indeed, this is our best and only hope. Should we agree?

An immediate complication for this view is empirical: What evidence is there that “democracy” outperforms alternatives with respect to climate action, as Lazar and Wallace assert? In other words, where can we see democracies taking the necessary measures at the speed and scale required? And, critically, where can we see them doing this in fully *democratic* ways? (For while no one can deny that nominally democratic regimes have capably handled a great range of emergencies in the past, it is hard to identify cases in which they did so without resort to “authoritarian” emergency powers.)

As far as I am aware, no such evidence exists. Rather, what one can see is that virtually all regimes—from the most “democratic” to the most “authoritarian”—have failed to take anything close to the measures needed to address climate change. This is especially true of the biggest polluters, the top ten of which are responsible for two-thirds of global emissions, and just the top three—the People’s Republic of China, the United States, and India—for 42.6 percent.²⁰ But the trend is general. In fact, since the UN Framework Convention on Climate Change (UNFCCC) was

formally established in 1992, committing all states to decarbonization, annual global emissions have grown by more than 50 percent, and, worse still, the *rate* at which they have grown has consistently increased.²¹

Revealingly, Lazar and Wallace seem to concede at one point that they are standing on empirically tenuous ground, noting that: “No good evidence suggests that regimes with authoritarian characteristics are better at climate response—and *even if they are*, climate sirens neglect at our common peril the importance of constitutional democracies as managers of political temporality” (emphasis added). Of course, we might worry that Lazar and Wallace are neglecting, “at our common peril,” the importance of a stable climate for maintaining constitutional democracy.²² In any case, their response here merely reframes the problem in a way that evades, rather than confronts, thorny questions about efficacy and necessity.

Lazar and Wallace’s main argumentative strategy, however, is to shift the burden of proof onto those who “allege authoritarian successes in climate-change mitigation” and democratic “failures in the same field.” The problem with this tack is that no one—at least so far as I am aware—actually alleges this. I certainly do not, though Lazar and Wallace attribute this view specifically to me. Admittedly, I have suggested that we have some reasons to doubt that “so-called democratic” regimes (the “so-called” is an important qualifier, for reasons that will soon become clear) outperform their poorer, more authoritarian counterparts, but with the immediate qualifier that “whether authoritarian governance is better able to realize desired environmental outcomes and, if so, why and to what extent” is “an empirical question” outside the scope of my argument.²³

This is not a disingenuous sidestepping of the facts, as Lazar and Wallace seem to suggest, but a reflection of the fact that there is, again, not much of any strong empirical research into the

relative efficacy of “democratic” or “authoritarian” climate governance. To my knowledge, of the scant studies that do exist on this, none evince clear advantages for any particular approach to climate policy or broader regime type. Rather, the most significant distinguishing factors seem to be levels of corruption or, according to one very recent study, economic development.²⁴ But the only general conclusion that one can confidently reach here is just that much more research is needed.

A deeper and more challenging problem for Lazar and Wallace’s view concerns what they actually understand by “democracy.” The essay contains manifold and often inconsistent invocations of “democracy” and the “democratic,” which leave one without a clear idea of precisely what the authors have in mind when they are extolling democracy’s virtues, or lamenting putative calls for “undemocratic” or “antidemocratic” alternatives. Without this, it is impossible to evaluate how “democracy” is performing as regards the climate crisis, even if we had the evidence we needed to make such an evaluation.

It appears, though, that what Lazar and Wallace chiefly have in mind is the kind of liberal, electoral “democracy” that one finds in wealthy Western states. And if this is right, their core claim effectively amounts to saying that the status quo of climate governance in the United States, Europe, and a handful of countries that resemble them is as good as it gets: Anything else would be dangerously antidemocratic, not to mention less effective. While, again, I am aware of no evidence that supports the latter assertion, a problem for the authors is that this view only becomes plausible if we accept the false dichotomy underpinning it: namely, that we can only address climate change *either* as existing, Western liberal-“democracies” (like the United States) do *or* as fully authoritarian regimes (like China’s) do. I see no reason, however, to accept these as our only choices.

Rather, what I would suggest is that our best hope rests in a reclamation of public authority that can likely only be won by more vigorous exercises of democratic agency aimed at disrupting the agents and institutions most causing climate harm, and establishing fully empowered (that is, legally authoritative) citizens' climate assemblies (ideally with members chosen by lot). An essential force toward these ends—at once democratic and democratizing—is *radical* but nonetheless *principled* activism and disobedience: mass protest movements that educate citizens, undermine the efficient operation of carbon capital, and force governments to act or concede authority to popular bodies that can.²⁵

For reasons unclear, Lazar and Wallace consistently denigrate climate activism and downplay its democratic character and potential. This is most obvious where they cast popular movements to press politicians to issue climate-emergency declarations as emotionally motivated, coercive, and ultimately pointless—*except* in serving to “prepare the ground for eco-authoritarian responses to climate problems.” In short, Lazar and Wallace regard climate activism as little more than misguided and potentially dangerous populism: empty, rhetorical fist-pounding that is more a threat to democratic government than a bulwark of it. This view is of course at odds with sizable literatures documenting the critical role of protest movements in achieving historical reforms (such as women's suffrage, civil rights, and the end of apartheid), and the general importance of such movements to vibrant and just democratic societies (as political theorists have long acknowledged).

Ultimately, Lazar and Wallace's objection to popular protest movements seems to come down to activists being something other than the “proper authorities,” which makes any power or influence they exercise illegitimate—a distortion of democracy. But if we grant this, then the obvious question is: Who are the proper authorities? For the same governments that Lazar and

Wallace hold up as our best options for addressing the climate emergency—Western, liberal states—have been undeniably and systematically captured by the very forces causing the problem (the fossil-fuel industry, big agriculture—in short, carbon capital).²⁶ Given this political reality, which Lazar and Wallace seem to acknowledge, are not citizens permitted (perhaps even obliged) to petition, protest, and seek reform? And would not precisely those forms of resistance—those rejections of state capture by hostile elites, those demands for something better—count as democratic?

In these pages, Adam Przeworski recently argued that, at minimum: “A regime is democratic if and only if people are free to choose, including to remove, governments.”²⁷ A relevant question is what might compel a democratic public to seek a radical political transformation such as removing a government. One compelling reason, I contend, is the same as that which would—even in Lazar and Wallace’s view—motivate a resort to emergency powers (which, after all, effectively amounts to a temporary change of government): namely, preserving or restoring the conditions that make order, security, and justice possible.²⁸ For if a government is failing to protect—or worse, actively undermining—those most basic political goods, what could be the point of maintaining it? This seems to be precisely the claim that activists, such as those in *Extinction Rebellion*, are making:

When Government and the law fail to provide any assurance of adequate protection, as well as security for its people’s well-being and the nation’s future, it becomes the right of its citizens to seek redress in order to restore dutiful democracy and to secure the solutions needed to avert catastrophe and protect the future.

Achieving anything close to “dutiful democracy” is likely to require shifting authority and law in profound ways: empowering people through new, more fully democratic institutions (such as the popular citizens’ assemblies being trialed, albeit in highly constrained ways, throughout the world) to pursue reforms that will likely strike some as unacceptably officious, onerous, or even

“authoritarian.” This will most of all be true when necessary changes cut against privilege and property, or restrict those licenses to harm that too many powerful agents have come to regard as inalienable liberties. We end, then, with a paradox: Perhaps our best hope for addressing the climate emergency is a politics that is, at once, more democratic *and* more authoritarian.

NOTES

¹ Lazar and Wallace never state directly what they have in mind by “authoritarian,” but they seem to have in mind something like the government found today in the People’s Republic of China.

² To avoid any further doubt, let me declare unequivocally here (as I have done in numerous other publications): I *do* fully and unequivocally support genuine democracy, I do *not* support authoritarian regimes or authoritarianism, and I do *not* believe that authoritarian regimes or authoritarianism are or can be legitimate except *perhaps* in the most dire circumstances (a view which I share with many others—including Lazar).

³ Ross Mittiga, “Political Legitimacy, Authoritarianism, and Climate Change,” *American Political Science Review* 116 (2022): 1004–1005; Ross Mittiga, *Climate Change as Political Catastrophe: Before Collapse* (Oxford: Oxford University Press, 2024), 60.

⁴ Mittiga, “Political Legitimacy, Authoritarianism, and Climate Change,” 1005; Mittiga, *Climate Change as Political Catastrophe*, 60.

⁵ “Political Science: Authoritarianism,” *Bearistotle* (Substack newsletter), 24 January 2022, <https://bearistotle.substack.com/p/political-science-authoritarianism>.

⁶ Mittiga, *Climate Change as Political Catastrophe*, 67.

⁷ While some may regard these measures as quotidian, it is worth stressing that most remain contentious, only partially realized, or wholly absent in many parts of the world—including in the wealthy, liberal states of the West, where an ascendant, ultra-natalist right is consistently targeting them.

⁸ Notably, the authors do not dispute this; nor should they, given the overwhelming evidence that addressing climate change requires curbing population growth, most of all in states with high per capita emissions. See, for example, IPCC AR6, WG3, 60, 245, 273. See also, Sarah Conly, *One Child: Do We Have a Right to More?* (Oxford: Oxford University Press, 2016); Philip Cafaro, “Climate Ethics and Population Policy,” *WIREs Climate Change* 3 (2012): 45–61; Raffaele Bifulco, “Climate Change and Overpopulation,” in Gianfranco Pellegrino and Marcello Di Paola, eds., *Handbook of the Philosophy of Climate Change* (Cham: Springer International Publishing, 2023), 685–97.

⁹ Mittiga, *Climate Change as Political Catastrophe*, 48.

¹⁰ Mittiga, *Climate Change as Political Catastrophe*, 66.

¹¹ Lazar and Wallace also claim, for instance, that I “want[] rule by experts” and to ban people “with unorthodox climate views from holding office.” I plainly do not.

¹² William J. Ripple et al., “The 2024 State of the Climate Report: Perilous Times on Planet Earth,” *BioScience* (2024). Emphasis added.

¹³ William J. Ripple et al., “World Scientists’ Warning of a Climate Emergency,” *BioScience* 70 (2019): 8–12.

¹⁴ For an accessible overview, see Daniel Steel, C. Tyler DesRoches, and Kian Mintz-Woo, “Climate Change and the Threat to Civilization,” *Proceedings of the National Academy of Sciences* 119 (2022): e2210525119.

¹⁵ An excellent example is Gernot Wagner and Martin Weitzman, *Climate Shock: The Economic Consequences of a Hotter Planet* (Princeton: Princeton University Press, 2016).

¹⁶ Adrien Bilal and Diego R. Känzig, “The Macroeconomic Impact of Climate Change: Global vs. Local Temperature,” National Bureau of Economic Research Working Paper Series, No. 32450 (2024).

¹⁷ “Climate Emergency Declarations in 2,364 Jurisdictions and Local Governments Cover 1 Billion Citizens,” Climate Emergency Declaration, 22 September 2024, <https://climateemergencydeclaration.org/climate-emergency-declarations-cover-15-million-citizens>.

¹⁸ Mittiga, *Climate Change as Political Catastrophe*, 5–6.

¹⁹ “Summary for Policymakers of IPCC Special Report on Global Warming of 1.5°C Approved by Governments,” UN Intergovernmental Panel on Climate Change, 8 October 2018, www.ipcc.ch/2018/10/08/summary-for-policymakers-of-ipcc-special-report-on-global-warming-of-1-5c-approved-by-governments.

²⁰ Johannes Friedrich et al., “This Interactive Chart Shows Changes in the World’s Top 10 Emitters,” World Resources Institute, 2023.

²¹ World Resources Institute, “Climate Watch Historical GHG Emissions” (Washington, D.C., 2022); Johannes Friedrich, et al., “This Interactive Chart Shows Changes in the World’s Top 10 Emitters,” World Resources Institute, 2023.

²² That climate change threatens to erode the material preconditions of democracy and justice is a point I have raised in various pieces, including Mittiga, “Political Legitimacy, Authoritarianism, and Climate Change”; Mittiga, *Climate Change as Political Catastrophe*;

and Matthew Adams and Ross Mittiga, "Material scarcity and scalar justice," *Philosophical Studies* 178 (2021).

²³ Mittiga, "Political Legitimacy, Authoritarianism, and Climate Change," 998; Mittiga, *Climate Change as Political Catastrophe*, 47–48.

²⁴ Shiran Victoria Shen, "Can Autocracy Handle Climate Change?" *PS: Political Science and Politics* (2024): 1–6.

²⁵ Mittiga, *Climate Change as Political Catastrophe*, ch. 4.

²⁶ Elite capture of most policy domains—which is to say, the oligarchic domination of nominally democratic institutions—is by now well documented. See Martin Gilens and Benjamin I. Page, "Testing Theories of American Politics: Elites, Interest Groups, and Average Citizens," *Perspectives on Politics* 12 (2014): 564–81.

²⁷ Adam Przeworski, "Who Decides What Is Democratic?" *Journal of Democracy* 35 (July 2024): 5–16.

²⁸ This is a central claim of *Climate Change as Political Catastrophe*.