

# Fighting the Environmental Battles: Governance and the Democratic State

Written by Anthony R. Zito

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ANTHONY R. ZITO, OCT 13 2014

This blog assesses the role and importance of environmental protection in western democracies in the aftermath of the global financial crisis. Drawing upon a British Academy/Leverhulme project studying Australia and Canada, as well as other research focusing on Germany, Great Britain, the Netherlands and the United States, my central argument is that environmental policies remain in place in 2014. However, they have evolved away from the certainties of the 1970s (where legislatures passed laws that fought pollution issues that were high on the public agenda). This evolution, which was occurring well before the crisis, reflects a much broader transformation in the nature of the western democratic state and how it governs.

Taking this more nuanced approach towards environmental policy-making forces us to modify certain conventional wisdom: e.g., that the right-wing political elite is behind a rollback of environmental policy, and that the European continental states are necessarily in the environmental policy-making vanguard. Such simplistic analyses struggle with the reality that both the Dutch (typically seen as one of the international Green leaders) and Canadian governments in 2010 explicitly linked and limited their climate change ambitions to their competitor/partner neighbours –the other EU member states and the United States, respectively. Equally, the Canadian Liberal government undertook significant spending cuts in the 1990s before the Conservatives took over in 2006.

Governing the environment remains a state responsibility, but the nature by which it is being done has become more complex. The approach in the 1970s of states creating prescriptive legislation directing to manage society (and enforcing and implementing this legislation) has changed to a greater role given to a wider array of actors at the international, national and subnational levels. This *governance* oriented approach does not dispense with the state or even its tools. Rather, the state continues to steer and combines its traditional regulation with governance mechanisms that place responsibility on societal actors.

There are four dynamics that I want to highlight in assessing this change. All of these factors help generate a policy context that interacts closely with market dynamics, cost and price considerations, and fears about economic competition. At the same time, all four spread the state's governance responsibility to a wider range of public and societal actors, but without providing the same electoral accountability to the people of the world.

1. The rather straightforward remediation and regulation of human pollution has been achieved. The traditional environmental priorities of setting limits on pollution (e.g., air and water standards for power plants) have been accomplished (albeit with ongoing implementation issues) in the majority of Western democracies. What remains are the much more difficult public policy problems, often involving diffuse sources of emissions. The prototypical case is climate change.
2. The thinking behind neo-liberalism, with its focus on the limits of the state and the importance of bringing market forces and mechanisms into governance, has won much of the argument about environmental protection on both the left and right. For example, the centre-left Australian Labour governments in the 1980s embraced the vision of empowering businesses to deal with market failures and create their own environmental solutions, culminating in a Labour market-focused climate change scheme in 2011.

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3. The considerations and logical implications of risk assessment and risk management are becoming increasingly linked to efforts at environmental policy-making. The implications are significant: governance in Australia and these other states has to be justified by risk assessments. At the same time, there is a shifting of risks away from public communities towards individuals and organisations within society who must manage the consequences of risk. For an excellent take on this, see Godden *et al.*
4. The traditional instruments of the state (i.e. regulations) remain the bedrock of environmental governance in the European Union, its member states, the United States, Australia and Canada. However, greater scope and involvement has been given to those targeted by regulations and an increasing array of supporting instruments focused on market mechanisms (e.g. emissions trading schemes) and voluntary action (e.g. eco-labels, environmental management standards) have been implemented.

Although these trends look pervasive across the West, we cannot assume that the current governance processes will remain fixed even in the medium-term. It is worth remembering that one of the key drivers of the environmental movement in the 1960s and 1970s was the impact of environmental disasters. The current governance mechanisms place a significant burden of risk and governance on the individual citizen and/or organisation/firm. The understanding of risk by the public is problematic and has not been assuaged by the considerations of risk or the consequential policy choices in the aftermath of Hurricane Katrina, or when the Environment Agency for England and Wales struggled with the 2013-14 winter flooding in the Southwest counties of England.

The increasing use of governance mechanisms and partnerships raises further questions of how environmental policy, and public policy more widely, can maintain its legitimacy in the public's eyes. As governments have turned away from direct regulation and have moved to placing governance responsibilities on societal groups, networks and individuals, the thread of legitimacy between the citizenry and public policy has become stretched. Having states steer environmental policy at one step removed also separates the public—and the legitimacy mechanisms—underpinning Western democracies further from the environmental governance taking place.

Beyond the challenges of governance are the challenges that governance itself generates: in Western democracies the public continue to hold governments in power to account for governance outcomes. This means that radical governance reversals in the face of environmental shock are probable. Thus, it was very likely that, in the aftermath of all the Australian droughts culminating in 2006, any Australian government configuration would have made a substantial intervention. This also explains, despite the reiterated 2014 UK Conservative electoral strategy of cutting the state budget to reduce the deficit, how David Cameron could commit in the same year to any spending necessary to prevent future flooding in Southwest England. Governance may have shifted part of the process and effort of protecting the environment, but the electoral responsibility remains quite traditional when things go very wrong.

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## About the author:

**Anthony R. Zito** is Professor of European Public Policy at Newcastle University. Prof. Zito is Co-Director of the Jean Monnet Centre at Newcastle University and co-editor of the journal *Environmental Politics*. He has authored *Creating Environmental Policy in the European Union* and recently co-authored *Environmental Governance in Europe* (2013). Prof. Zito received a Leverhulme grant to undertake a comparative study of environmental agencies. The project mentioned in this blog is currently funded by a British Academy/Leverhulme Small Research Grant to compare governance arrangements in Germany and The Netherlands to Australia and Canada.