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ENVIRONMENTAL POLICY

Ton Bührs

Environmental policy is an elusive phenomenon. Although the concept has been in currency for more than three decades, it continues to defy precise definition. In theory and in practice it has taken on a diversity of meanings and forms. Under its cover go a multitude of issues, including the many manifestations of pollution; the decline of forests, fish-stocks, and biodiversity; climate change and the depletion of the ozone layer; conditions of urban squalor; the unsustainable use of resources; the breakdown of communities and pressures towards over-development; and the insidiousness of a wide range of all-pervasive risks (Beck 1992). Environmental policy can address some of these issues, and many others besides.

Although the study of the environment informs us that 'everything is related to everything', environmental policy has always been less than all-encompassing. In the past, governments tended to shape environmental policy reactively, in response to particular problems and demands. Only recently has there been a recognition of the need for a comprehensive environmental policy, one that addresses causes and focuses more on prevention than on cure. Since the late 1980s, the call for the integration of environmental, social and economic policies has grown stronger, as reflected in the rise of the discourse on sustainability. But as environmental policy efforts have grown more complex and become interwoven with other policy areas, so the need for some form of 'strategic reduction', the identification of key issues or factors, has become more apparent (Born & Sonzogni 1995, pp. 167–81). Almost inevitably, the more ambitious the level of environmental policy development, the greater the pressure to analyse linkages and to shift the debate towards underlying causes.

Within New Zealand, progress was made during the 1980s and early 1990s in the development of a more comprehensive and integrated approach to

environmental issues. The reputation of a 'clean and green' country was influenced by New Zealand's remoteness from the heavily industrialised world and largely pastoral economy. However, as the 1990s began to draw to a close, the 'clean and green' image started to wear thin. In important respects, New Zealand's environmental policy performance has been found wanting. As this chapter will argue, the promise held by its environmental reforms has not been fulfilled. The prevailing ideology of 'economic liberalism' has caused New Zealand governments to continue to stimulate the very forces that produce and intensify environmental problems. The most important challenge of the new millennium is how to extricate New Zealand from the global web of quasi-anonymous forces with a view to restoring a degree of environmental self-determination.

Banking on 'clean and green'

Between 1984 and 1991, New Zealand's institutional framework to deal with environmental issues was radically overhauled. With the establishment of the Department of Conservation in 1987, the responsibility for nature conservation, which had previously been scattered among a number of agencies, was put in the hands of a single government department. This heralded a major step towards a more integrated approach to the protection and conservation of nature, a theme that had long dominated New Zealand's environmental discourse. A little earlier, the Ministry for the Environment was created to provide for the coordination of environmental policy advice to the government. In addition, a parliamentary commissioner for the environment was appointed to become an independent environmental 'watchdog', overseeing the performance of the 'environmental system' as a whole (Bührs 1996, pp. 1–28).

However, the move towards a more integrated approach to environmental issues did not end with these initiatives. In 1989, regional councils were established with a view to becoming the linchpin in the implementation of the planned Resource Management Act (RMA). The 1991 Act, which resulted in the amalgamation of an array of fragmented environmental legislation, soon began to attract worldwide interest and admiration, in part because of its overarching commitment to the sustainable management of all natural resources. By establishing a framework for environmental decision-making, the Act enabled the national government, regional councils, and local authorities to develop a coherent approach to environmental issues, while allowing for variations reflecting differences in local needs and conditions (Bührs & Bartlett 1993, pp. 122–34).

Upon completion of this wave of environmental reform, the focus turned to the question of implementation. This proved to be a formidable task. The Department of Conservation, for example, struggled with the process of building a corporate identity and culture, and its management structure came under

close scrutiny in the wake of the Cave Creek disaster.¹ The Ministry for the Environment has focused foremost on establishing the fundamentals of an environmental policy framework, including the gathering of baseline information and introducing a system of monitoring and reporting. It also produced the *Environment 2010 Strategy* (Ministry for the Environment 1995), which aims to take a comprehensive and longer-term view of New Zealand's environmental problems. The *Strategy*, adopted by the government in 1995, essentially formulates general principles and goals and identifies risks, but does not contain an analysis of the economic and technological driving forces that cause many environmental problems (Bühns & Bartlett 1997). The Parliamentary Commissioner for the Environment has also encountered a number of problems, including limited resources and a failure to focus on those structural issues that are at the interface between economic, social and environmental policy.

Almost a decade after the introduction of the Resource Management Act, some local authorities still have to complete their first plans required by the legislation. Disagreement over the provisions of the Act encompasses a range of issues, including how to overcome entrenched planning conceptions and practices; questions regarding the desirable level of public participation; the extent to which there should be consultation with Maori; and ongoing wrangling about the appropriate role of regional councils, or whether they should even exist. More importantly, there is little indication that the Act has established a will or capacity to develop and implement a long-term view on environmental requirements, to come to terms with the challenge of addressing the cumulative nature of environmental effects (including those from 'non-point sources'),² and to create a more 'level playing field' between development and environmental interests in determining what is sustainable. Perhaps even more fundamentally, the question arises as to whether the focus on 'effects' required by the legislation ('anything goes' unless there is substantial evidence that the negative environmental effects are significant) deflects attention away from the structural causes of environmental problems.

Whereas doubts can be raised about the extent to which the Resource Management Act delivers sound environmental outcomes, concern about the implications of the Act for private property rights and economic development has gained far greater political attention and weight. Farmers, upset about the identification of some of their land by district councils as requiring protection for its ecological values, have been up in arms about this perceived infringement of their private property rights. Development interests have expressed concern about costs and delays associated with the processing of consent applications, labelling these as barriers to investment. In response, in 1998, the government initiated a review of the Resource Management Act in which increasing the

cost-effectiveness of the legislation and enhancing responsiveness to the Act's 'clients' (those applying for consents) were assigned priority. The review resulted in amendment proposals to narrow the meaning of the term 'environment' (weakening if not eliminating the social and economic dimensions of the concept), to 'privatise' the assessment of environmental effects, and to reduce opportunities for public involvement, among other things. The proposals, which provoked much public opposition and were characterised by environmentalists as 'an alarming collection of ideas from the far Right of politics' (Salmon 1998, pp. 4-6; Wallace 1998, pp. 1-2) and directed at 'gutting' the Resource Management Act, were not passed through Parliament before the 1999 elections, and consequently were carried over to the following government.

These developments indicate that institutional reform does not necessarily imply improved policy performance. The *Environment 2010 Strategy*, for example, contains few specific targets or deadlines. The commitment to the introduction of a carbon tax, if by early 1998 voluntary industry measures had not resulted in a decline of CO₂ emissions, was dropped out of concern that it might place New Zealand's exporters at a competitive disadvantage. In successive budget rounds, a 'green package' of financial resources was allocated to a range of priorities, but these hardly make up for the poor level of funding of environmental agencies and tasks at all levels of government.³ A more integrated system for managing the introduction of hazardous substances has only recently been established, but it is not accompanied by a life-cycle approach to hazardous substances in general. In 1999, the New Zealand government published a draft *Biodiversity Strategy*, seven years after it made a commitment to do so. Furthermore, there is still no policy to address the environmental implications of the commercialisation of the energy sector, which began in the 1980s. In several other areas, such as agriculture and waste management, policies are non-committal, effectively passing the buck to the private sector or local government.

This is not to say that there have not been positive steps in environmental policy. During the 1990s, New Zealand's system of national parks has been further extended and the number of marine reserves significantly increased. Progress has been made on the establishment of an environmental monitoring and reporting system, and an environmental education strategy has been published. The point made here is that the advancement of environmental policy in New Zealand in the 1990s has been slower than it could have been, and much slower than necessary. The radical and promising reforms of the late 1980s and early 1990s have not been followed up by forceful action to put them to work. Policy development to exploit and guide the enabling features of the reforms has been minimal. Meanwhile, governments continued to promote New

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Zealand as a 'clean and green' investment haven. Rather than strengthening New Zealand's reputation of being 'bold and beautiful', they have simply exploited it.

A day of reckoning: the OECD assessment

In 1995, New Zealand's environmental performance was assessed by the Organisation for Economic Cooperation and Development (OECD), in the context of the organisation's programme of reviewing all member states in this area every four to five years. A major theme running through its report, which was released in November 1996, concerned the absence both of reliable data on the New Zealand environment and of a coherent system of environmental monitoring and reporting. In many areas the reviewers found that performance was hard to assess because of a lack of information, including baseline information. Nevertheless, on the basis of the information gathered, the reviewers were able to pinpoint significant environmental problems and shortcomings in New Zealand's performance.

While acknowledging the relatively high proportion of protected areas in New Zealand compared to other OECD countries (close to 30 per cent compared to an average of 9 per cent for the OECD as a whole), the report notes the ongoing decline in biodiversity, laments the absence (at that time) of a national biodiversity strategy, and questions the ability of the Department of Conservation to implement its responsibilities effectively, especially given the cuts to its budget and staffing (OECD 1996, pp. 41–57). On the question of fresh water resources, which are abundant in New Zealand compared to many other countries, the report revealed that 8.5 per cent of the population's drinking water is potentially unsafe. It also found that, for another 35 per cent of the population, no guarantee could be given that the water met safety guidelines (OECD 1996, pp. 59–74). The 'clean and green' image associated with New Zealand's agriculture was also judged to be incorrect—indeed, agriculture was found to be 'the major source of water pollution'. Recurring problems include those associated with animal waste, fertiliser application, and soil erosion, as well as emissions of methane (a greenhouse gas), and a heavy reliance on pesticides, which was double the OECD average (OECD 1996, pp. 131–49).

In other areas, New Zealand's weak environmental performance comes as less of a surprise. Most scathing is the finding on waste management practices and policies, including the management of hazardous waste. New Zealand's approach is described as piecemeal, lacking co-ordination, and in need of urgent strengthening (OECD 1996, pp. 75–85). As for the energy sector, the report identifies a number of problems, including the failure to reduce CO₂ emissions, the absence of quantitative targets for increasing energy efficiency, the absence of tests for vehicle emissions, cuts in funding for public transport,

and the lack of support for the introduction of renewable energy sources. Altogether, the OECD report paints a picture of a poor environmental record, something it attributes to the energy sector reforms and a reliance on 'the market', even though this 'will not address these externalities, which are a classic example of a market failure justifying public intervention' (OECD 1996, p. 129).

Perhaps most disappointing for those who view New Zealand as a world leader in achieving a more comprehensive and integrated approach to environmental issues, the reviewers appeared to be relatively unimpressed by the new institutional framework that was established. Rather than taking the reforms at face value, the report reserves judgment in the light of the apparent lack of demonstrable improvement in the quality of New Zealand's environment. Implicitly, the review suggests that any judgment on New Zealand's claim to environmental leadership is dependent on the extent to which the environmental reforms can be shown to have resulted in a 'cleaner and greener' country.

Apart from taking the myth out of New Zealand's environmental image, the OECD's review had a catalytic effect on environmental policy development in a range of areas (Bühns 1997). In particular, work on the establishment of a system of environmental monitoring and reporting received an important boost in the form of a programme for the development of environmental indicators. The 'state of the environment' report was published in 1997, approximately a decade after it was first mooted by the Ministry for the Environment. In many ways the report simply confirms the OECD's findings with regard to the existence of large gaps in information and, where information is available, of ongoing and significant environmental problems (Ministry for the Environment 1997). Perhaps even more importantly, the report points to a serious weakness in the ministry's efforts or capacity to analyse and address the *sources* of environmental problems, as reflected in the paucity of 'pressure indicators' used in the report and the apparent low priority given to the development of such indicators (Montgomery et al. 1998, pp. 93–104). It is hard to see how environmental performance can or will be improved without a stronger effort in these areas, but it is not difficult to understand why in the prevailing political-economic reality such efforts are not assigned priority. This brings us to one of the biggest issues underlying New Zealand's (and many other countries') environmental policy performance, which is likely to become even more significant in the third millennium.

The effects of globalisation on environmental policy

In the early 1970s, economic and environmental interests (or 'imperatives') were widely viewed as being incompatible. Economic growth and its associated technological developments were perceived to be the main causes of

environmental pollution. As a result, environmental advocates called for 'zero economic growth' and for population control to stave off the looming crisis (Meadows et al. 1972; Goldsmith et al. 1972).

By the late 1980s, the discourse of 'environment versus economics' had been replaced by that of 'sustainable development', a concept that implies that economic growth of a particular form is compatible with environmental interests. The report by the World Commission on Environment and Development (WCED 1987)⁴ played a key role in catapulting the concept into prominence internationally. At a time of economic stagnation in much of the developed world, rising concern about global environmental degradation, and increasing assertiveness on the part of developing countries staking their claims on economic development, the report brilliantly suffuses potentially conflicting views with a harmonising vision of compatible and common interests. Sufficiently abstract, the concept of sustainability as defined by the commission⁵ allows for a wide range of interpretations, serving simultaneously the interests of environmentalists, governments and the business sector. Soon it became the dominant discourse, displacing that of 'environment versus economics', and marginalising those who continued to talk about the 'limits to growth' (Dryzek 1997).

However, integrating environmental and economic interests is easier to achieve in words than in deeds. For about two decades, the OECD has promoted and searched for ways of harmonising economic and environmental policies, in particular via the use of economic instruments (OECD 1980a; OECD 1980b). In its environmental performance reviews, the integration of environment and economy has been a fixed item for assessment. Not surprisingly, however, time and again the OECD finds that governments still have a long way to go in this respect, and that normally economic policies (in general and in the main sectors, such as energy, transport, and agriculture) continue to be developed and implemented without much, if any, consideration given to environmental concerns. In that respect, New Zealand is no exception (OECD 1996, pp. 89–112).

The process of economic globalisation makes the integration of environment and economics even more problematic. The juggernaut of an unregulated global financial system, supported politically by global financial and economic interests, using the International Monetary Fund (IMF) and the World Trade Organisation (WTO) as their channels, forces all governments to submit to the same financial-economic discipline and policies, and to the erratic and arbitrary effects of speculation, effectively eliminating the last vestiges of their control over their own domestic economies (Barnet & Cavanagh 1996; Chossudovsky 1998). Advocates of 'free trade' commonly label environmental measures as potential barriers to trade or a threat to the competitiveness of the 'national' economy.

Globalisation not only makes environmental policy development more problematic, but also opens the gates for a flow of new environmental problems. The liberalisation of trade and transport, with a minimum of controls, facilitates the spread of organisms and substances potentially harmful to humans and the environment. The liberalisation of investment and the establishment of global intellectual property rights over living material may open the door to new developments that are socially and environmentally undesirable and further compromise the ability of people and their governments to protect their historical, cultural, and natural heritage—for instance, against monopoly control over genetic material from indigenous plants (Purdue 1995; Wallach 1998; de Brie 1999). Already, the spread of genetically modified plants and food, the subject of much debate because of environmental, health, social, ethical, and political-economic implications, appears hard to stop, as strong political-economic and scientific interests have combined to narrow the criteria for impeding their introduction. Even though New Zealand may seem less vulnerable to the unpredictable events of the 'risk society', given its geographic position, techno-economic globalisation ensures that it won't be missing out on any future unpleasant 'surprises'.

The main response to these developments and their global environmental consequences has been to develop environmental policy at the international level. In the last five decades, the number of international agreements on environmental issues has increased sharply (Brown et al. 1995, pp. 90–1). Relatively recent examples of these are the Convention on Biological Diversity (which entered into force in 1993), and the Framework Convention on Climate Change (in force since 1994), both signed at the Earth Summit in Rio de Janeiro in 1992. The effectiveness of these agreements is doubtful, however, not only because of their inadequate implementation, but because they fail to address the underlying causes of environmental problems, which are political-economic and socio-cultural rather than technical. Internationally, the integration of environment and economics is at least as problematic as at the national level, as reflected in the relative power of institutionalised 'free trade' interests compared to environmental concerns.⁶

The Earth Summit, which brought together official delegates from more than 170 nations and thousands of representatives of environmental groups, reflects growing recognition of the need for global collective action on environmental problems, and heralds the emergence of global environmental politics (Porter & Brown 1996, pp. 1–30). Increasingly, battles over environmental issues are fought at the global level involving international coalitions of environmental non-governmental organisations (ENGOS), such as Greenpeace, Friends of the Earth, and the World Wide Fund for Nature; transnational corporations (TNCs); governments and international institutions, such as the United Nations Environment Programme (UNEP); the World Bank; and the World

Trade Organisation (WTO). ENGOs have become important actors at the international level, but face serious obstacles, including insufficient funding and cultural differences (McCormick 1993; Chatterjee & Finger 1994; Enge & Malhenes 1993). Although, in response to mounting international environmental pressure, some international organisations and TNCs claim to have 'greened' their act, these efforts are often criticised by environmentalists as inadequate and ineffective at best, or as mere window dressing or 'greenwashing' at worst (Athanasίου 1996; Rich 1994). Despite the sharp increase in international environmental agreements, the global institutional framework (organisations, rules, and processes) for addressing environmental problems still requires considerable strengthening (Caldwell 1995; Young 1993).

Strengthening environmental policies and institutions at the international level is not the only possible approach, however. Extricating communities from global economic forces by the 'relocalisation' of economies is an alternative, more empowering route to the integration of social, environmental and economic concerns. Mander & Goldsmith (1996, p. 391) have argued that:

Today's problems will eventually be solved by recognizing that local production for local consumption—using local resources, under the guidance and control of local communities, and reflecting local and regional cultures and traditions within the limits of nature—is a far more successful direction than the currently promoted, clearly utopian, globally centralized model.

To a considerable degree, global political-economic power can be made 'irrelevant' by those who do not 'buy into it'. For instance, consumers who buy locally produced organic produce rather than genetically modified food promoted by transnational food corporations effectively diminish the power of the latter. Similarly, despite the phasing out of import controls or tariffs under the free-trade agenda, consumers may continue to buy New Zealand-made goods, even if the price of these is slightly higher, to protect local production and jobs. Producer and consumer cooperatives have the potential to meet many of the day-to-day needs of individuals and communities while retaining local control over finance and investments (Norberg-Hodge 1996; Morrison 1995, pp. 151–60).

But it is unlikely that, on their own, each of these two approaches—the strengthening of international regimes and institutions, and encouraging communities to reduce their dependence on the global market—is capable of effectively addressing the sources of the environmental problematique. For the foreseeable future, nation-states are likely to remain important mediators and facilitators of change at both levels. Linking and integrating environmental and economic development at local, national and international levels will remain the most important challenge for environmental policy for years to come.

Notes

- 1 In April 1995, a viewing platform on the West Coast of the South Island collapsed, killing fourteen people. In the subsequent inquiry, DOC's management system was found to be at fault. The inquiry and a further review of the department led to a range of structural and management changes. For further details see <<http://www.doc.govt.nz/whats/issues/cave.htm>>.
- 2 'Non-point sources' are sources of pollution that are numerous, dispersed, and often mobile, for example traffic.
- 3 Environment and Conservation Organisations of New Zealand, *ECOLink*, June 1998, p. 3.
- 4 This report is often referred to as the Brundtland report, after the chairperson of the commission, the then Norwegian Prime Minister, Gro Harlem Brundtland.
- 5 In the report, sustainable development is defined as the ability to 'meet the needs of the present without compromising the ability of future generations to meet their own needs' (WCED 1987, p. 8).
- 6 'Free trade' interests have a powerful institutional advocate in the World Trade Organisation (WTO), which has been referred to as 'perhaps the strongest body for global governance' (Dryzek 1997, p. 41), whereas international institutions advancing environmental concerns, such as the United Nations Environment Programme and the Commission for Sustainable Development, are still very weak. Although the WTO has recently started to acknowledge environmental concerns, this does not diminish the fact that the main goal of the organisation is to promote trade (Makuch 1996).

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Discussion Questions

- 1 Environmental policy is referred to as an 'elusive phenomenon', meaning different things to different people. The same can be said about the notion of 'sustainability'. Given the diversity of interpretations—across people, cultures and countries—does it make sense to continue to use these concepts?
- 2 Assessing environmental performance inevitably relies on criteria and value judgements. By what criteria should New Zealand's environmental performance be judged? Why?
- 3 Politico-economic and socio-cultural factors are referred to as the underlying causes of environmental problems. Discuss what kinds of things the author may have in mind.
- 4 'Techno-economic' globalisation is depicted as further complicating environmental policy development, and as a catalyst for the emergence of new environmental problems. How can or should New Zealanders deal with this challenge?