

# Learning History

U.S. Environmental Politics,  
Policies, and the Common Good

by Richard N. L. Andrews

In 2005, the United Nations–commissioned Millennium Ecosystem Assessment reported that over the past 50 years, rapid and extensive change in human ecosystems has resulted in a substantial and largely irreversible loss in the diversity of life on Earth. More land has been converted to cropland since 1945 than in the eighteenth and nineteenth centuries combined, and water withdrawals from rivers and lakes have doubled since 1960.

Since 1750, atmospheric concentrations of carbon dioxide, the major contributor to global warming, has increased, with 60 percent of that increase happening between 1959 and the present. Fifty percent of all the synthetic nitrogen fertilizer ever used has been applied since 1985; flows of biologically available nitrogen in terrestrial ecosystems have doubled since 1960 and may increase by two-thirds more by 2050. An estimated 10 to 30 percent of all

mammal, bird, and amphibian species are currently threatened with extinction.<sup>1</sup>

These changes have contributed to substantial gains in human well-being and economic development at growing costs to the essential services that ecosystems provide to human societies: providing food, water, fuel, wood, and fiber, supporting and regulating natural processes that are necessary for human life and health (nutrient cycling, soil

formation, water purification, the climate system, and the control of disease organisms), and providing spiritual and recreational values. These damaging trends are substantially reducing the availability of these services for future use.

U.S. environmental policies have been prominent causes of these damaging trends and must be part of any solution. Throughout American history, the United States' dominant policies have been to promote the economic exploitation of natural resources, first nationally and now globally. The United States has not been unique in this: European trade and colonization initiated these trends, and other governments have done likewise. But as the world's largest single market for material and energy resources—at least until 2005, when China surpassed it in total consumption—and a leading exporter of both production technologies and consumption lifestyles, the United States has had a prominent influence, and its policies are essential to any solution.

At times throughout this history, U.S. environmental policies also have included initiatives to manage and protect the natural environment: to reduce risks to human life and health (such as floods and diseases), to provide services that markets by themselves did not (such as transportation infrastructure, multipurpose water management projects, urban water supply and

parks, wetlands, and endangered species), and to control environmentally damaging excesses of economic behavior (such as pollution and landscape destruction).

The net effect of these policies has been to provide unprecedented levels of material comfort to many people and extraordinary affluence to a few and to reduce and even repair some environmental damage. Even after more than three decades of the modern “environmental era,” however, these policies have only selectively, modestly, and temporarily held back the larger national and global forces of human population growth, landscape transformation, natural resource use, and waste generation.

It would be a mistake to attribute the vast environmental changes in the United States entirely to its public policies. Policies tend to lag behind economic and social trends, because government typically acts only in response to a buildup of pressure for collective action. But policies once enacted create and entrench powerful further incentives: They define the property rights, rules, and other inducements that then amplify, restrain, or redirect market forces in ways that may be either beneficial or perverse for the environment.

In the United States, for instance, economic opportunities in the initial absence of policies stimulated the vast increases in immigration and westward settlement during the nineteenth century, the opportunistic use of environmental resources for economic gain (such as wildlife, timber, mining “rushes,” open grasslands, and water), and eventually the competitive race to pump oil that fueled the country’s economic dependence on cheap fossil fuels.

But policies did follow, often legitimizing and supporting these forces, sometimes attempting to reduce their environmental impacts but in other cases even exacerbating their impacts by protecting activities,

through law and subsidies, against market forces that might have corrected them.

## The Legacy of Past Policies

Environmental policy is not limited to the modern environmental era: The label is recent, but the reality of environmental policy runs throughout U.S. history. Government policies played major roles in creating much of the natural-resource-based wealth and power of the U.S. economy as well as its nationwide infrastructure of water-resource, energy, and transportation facilities; its protected lands; its urban public services of water supply and wastewater and waste management; and the more recent control and cleanup of pollution.

These policies included colonial and constitutional precedents that gave far greater deference to private property ownership and imposed far more severe limits on government regulatory power than in most other nations. They included powerful incentives for rapid privatization and economic use of land and its resources, and for investment in canals and railroads. In a young country struggling to achieve economic viability and defend itself against European empires, it was government policies that made public lands available for rapid settlement and economic use and offered open immigration to settle and develop them. It was government policies, too, that provided land grants to leverage investment in transportation infrastructure—first canals, later railroads—building a transportation infrastructure that covered an entire continent in less than half a century. In a rapidly urbanizing society, it was government sanitation policies and public-health programs that dramatically reduced the great epidemics of diseases borne by air, water, food, and vectors to trivial levels, by providing clean water supplies, wastewater and waste management, and other public-health services to people living in cities and communities. It was not just free markets that achieved these benefits: It was markets shaped by strong and sup-

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waste management, and outdoor recreation sites), to conserve resources for continuing future benefit (such as fisheries, forests, and arable soils), to preserve nature’s beauty and ecosystems (such as national

portive government policies and in many cases government actions directly.

Later policies included the legacy of Progressive governance, which asserted the positive role of government both in municipal water supply and waste management and in national responsibility for conservation and efficient management of public lands and natural resources. Beginning in the early twentieth century, it was government policies that preserved the national forest lands from speculative development, developed a national system of publicly managed parks and forests, and offered public benefits—access for recreation and tourism, protection of wildlife habitat and wilderness areas, and preservation of cultural and historical sites—far beyond those that would have been provided by market forces alone.

Environmental policies also included the New Deal conservation programs, which used the powers of government to rebuild from economic and ecological collapse, disseminate better practices for conservation of soil, water, and wildlife, and even implement conservation planning on the scale of entire river basins. Government investments and management agencies created a nationwide system of multipurpose facilities for water resource management, providing controlled supplies of water for navigation, flood control, irrigation, urban water supplies, hydroelectric power, recreation, and other uses, and permitting human communities to flourish in otherwise arid regions. However ambivalent many modern environmentalists may rightly feel about many of these projects, the best of those projects exemplified a vision of integrated planning of economic development, ecological restoration, and environmental management unmatched either before or since.

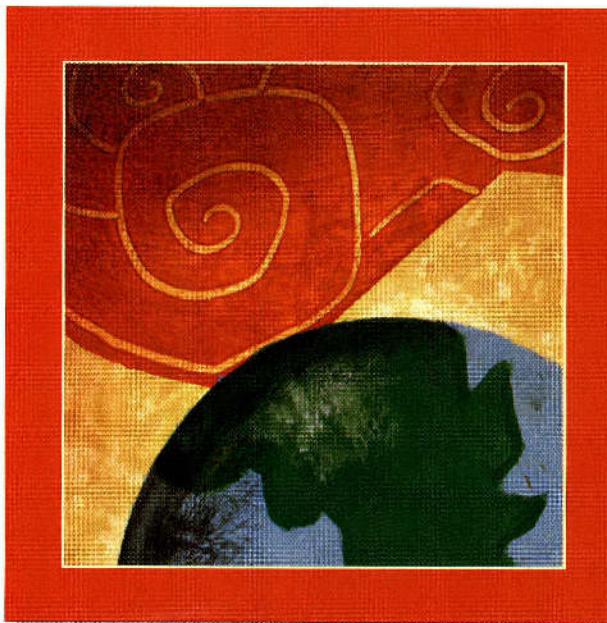
More recently, the policies of the modern environmental era have reduced urban and industrial pollution, curbed at least

some of the federal projects and subsidy programs that were themselves causes of environmental changes, and protected additional natural lands and ecosystems in public management. Since 1970, government pollution control regulations have required industries to radically reduce their emissions of air and water pollution, reduce emissions from motor vehicles, and end human exposure to airborne lead from

The effects of U.S. environmental policies also include severe impacts caused by the policies themselves. Throughout the nineteenth century, public-land policies promoted not only rapid settlement and economic use of natural resources but also widespread deforestation, massive and wasteful slaughter of buffalo and other species, and pervasive fraud in the acquisition and exploitation of public resources. Public health and sanitation policies achieved major reductions in epidemic disease, but not before municipalities had worsened health hazards, first by piping in water without providing sewers to remove it, and then, when sewers were installed, discharging wastewater untreated into streams serving other communities' water supplies.

Federal conservation policies preserved large areas of public lands and resources in government ownership but also created powerful beneficiary constituencies that continued to defend their privileged access to public resources long past the eras in which the original subsidies may have seemed justified. The agencies created to manage these resources proved vulnerable to capture by those interests that had the most to gain commercially from their actions: the Forest Service (by the logging industry), the Bureau of Land Management (by the livestock and mining industries), and the fish and wildlife agencies (first by agricultural predator-control interests and later by hunting and fishing groups). More generally, policies promoting the development of natural resources for economic use—mining and logging, farming and grazing, and federally subsidized water and energy development, for instance—created subsidies that distorted even the market's own incentives for less intensive and less damaging uses of the environment.

In the mid-twentieth century, policies promoting all-out war production and postwar consumption were among the



fuel combustion. Government regulations, combined with subsidies, motivated cities and towns to treat their wastewater discharges. Government reporting requirements forced industries to confront and reduce the immense quantities of toxic chemicals that they were releasing into the environment. Government regulations compelled industries and cities to clean up their waste management practices: to close leaking and open-burning dumps, separate hazardous industrial chemicals from household wastes, control and stabilize contaminated sites, and dramatically increase the fraction of wastes that were recycled rather than merely discarded. New statutory requirements also opened the government's own actions to public challenge based on their environmental impacts. Finally, government expenditures preserved large areas of natural lands as protected public property for the future.

major causes not only of unprecedented economic prosperity but also of the severe levels of pollution and landscape destruction that accompanied it. The Cold War arms race promoted the development and use of new weapons that greatly increased environmental destruction, and U.S. policies promoting the globalization of trade also promoted a simultaneous globalization of resource extraction, industrial pollution, and urbanization.

## The Environmental Era

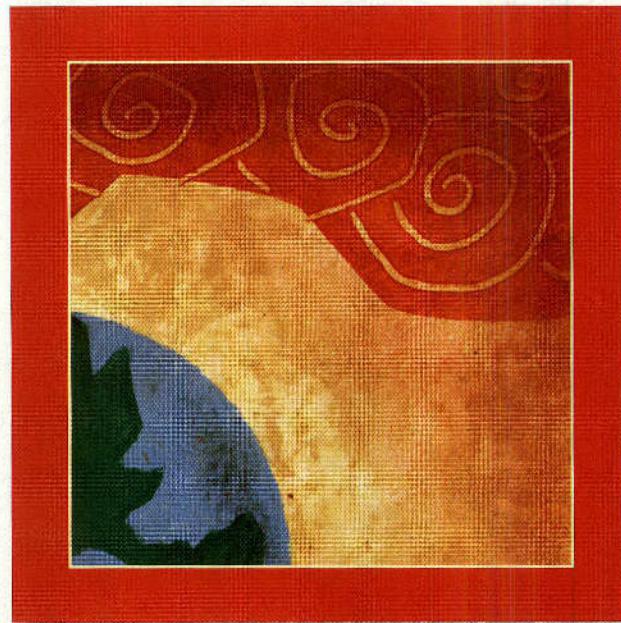
The modern "environmental era" began in 1970 with the National Environmental Policy Act (NEPA), Earth Day, and a decade of sweeping new federal environmental regulatory mandates. The United States entered this era with widespread and serious environmental problems. These problems included high rates of fossil fuel combustion per capita and per unit of economic output, resulting from a history of cheap and abundant domestic supplies of fossil fuels and from policies promoting continued availability of cheap energy. They included serious air and water pollution, high and rising rates of air pollution from motor vehicles, and rapidly increasing use of pesticides and other toxic chemicals. They included uncontrolled disposal practices for industrial wastes, and generally uncontrolled wastewater and waste management practices by municipalities. They also included widespread destruction of natural landscapes and ecosystems, due especially to rapid suburbanization, coastal development, and large-scale public infrastructure projects such as dams and highways.

The "environmental era" has been marked by a set of distinctive features. One was unusually widespread and bipartisan grass-roots support, sparked and repeatedly reignited by public outrage at environmental abuses and amplified and sustained by the mass media. A second was unprecedented support for national regulations as a primary instrument of environmental policy, supplemented by government subsidies and tax breaks as

inducements for compliance. A third was a vast expansion of citizens' rights of direct access to government information and decisionmaking processes, as a deliberate counterweight to the "iron triangles" by which business interests had exercised privileged influence—"agency capture"—over administrative as well as legislative decisions affecting the environment. And finally, a fourth was the United States' emergence as the world's leader and model in environmental policy precedents and standards. Environmental policy dominated the decade of the 1970s and has continued as a major policy arena—although with increased volatility—ever since.

The creation of a national regulatory framework for pollution control was an extraordinary new element in U.S. environmental policy, as was the empowerment of citizen groups to intervene as its advocates in administrative proceedings and litigation. All these policies were achieved by broadly bipartisan legislative initiatives and signed and implemented by Republican and Democratic presidents. Together, these new policies produced an unprecedented outpouring of federal environmental regulations to protect air, water, and drinking water quality; control pollution and toxic chemicals; and ensure safe waste management. Most of these policies were remarkably successful in achieving what they were designed to achieve.

Later commentators often spoke contemptuously of technology-based regulations as "command and control" and "one size fits all," but in fact they were understandable, enforceable, and did in fact force laggard firms to install best-practice control technologies. Industrial and municipal emissions and wastewa-



ter discharges dropped significantly and air quality at least became measurably cleaner for most pollutants. Automobile emissions dropped dramatically and airborne lead emissions most dramatically of all. Waste dumps were closed and replaced by far safer disposal facilities, and waste management and recycling were transformed into professional and profitable businesses. Emissions of particulate matter dropped by nearly 80 percent from 1970 to 1994, for instance, and lead emissions decreased by 98 percent, even as the U.S. population increased by 27 percent, its gross domestic product by 90 percent, and its vehicle use by 111 percent. Carbon monoxide and volatile organic compounds each dropped by more than 20 percent, and sulfur by one-third; only nitrogen oxides increased.<sup>2</sup> The "pollution standards index" for major U.S. urban areas, perhaps the best integrated indicator of air pollution exposure, improved by 72 percent from 1985 to 1994, with the exception of Southern California where it improved by 27–35 percent. Airborne releases of reportable toxic chemical pollutants decreased by more than 40 percent from 1988 to 1994. For water quality, most of the most conspicuous water pollution from point sources was eliminated. Biochemical oxygen demand and total

suspended solids from municipal sewage plants decreased by 36 percent even as loads to them were increasing by 30 percent, and direct industrial discharges were also reduced dramatically.<sup>3</sup>

The United States ended the disposal of hazardous industrial wastes into urban solid waste landfills and reduced the quantities of such wastes substantially in proportion to pollution levels. It required far more secure measures for treating the remainder and substantially increased the proportion of wastes that was recycled. Over a period of less than a decade, it also ended the practice of open burning of wastes at municipal dumps and closed down hundreds of leaking municipal landfills, replacing them with far safer facilities, and increased municipal recycling from an insignificant level to an estimated 25 percent of the nation's wastes.

The U.S. also significantly reduced rates of energy consumption per unit of economic production. U.S. industrial energy consumption per constant dollar of gross domestic product declined by almost 45 percent from 1970 to the 1990s. Overall energy consumption declined dramatically between 1973 and 1983 but then increased steadily once more as real fuel costs declined again. The use of agricultural chemicals also leveled off from 1980 to 1995, after continuous prior annual increases since the 1940s, although they still continued at relatively high levels.

Environmental-era policies for wildlife and public lands also produced significant results. Many pristine landscapes were permanently protected as wilderness areas, and endangered species and their habitats were given near-absolute legal protection against human harm, but the very rigidity of these protections galvanized more intense resistance from landowners, developers, and others who lived in and used these landscapes. The new management statutes for national forests and public lands formalized the rights of any interested citizen, not just the extractive industries and other commercial users, to participate in decisions about the uses of these public resources, but attempts to establish ecological

sustainability as the fundamental goal of such management were reversed by changes of administration. Not surprisingly, such decisions remain intensely controversial—the Clinton administration sought to protect as much land as possible from commercial use, while the Bush administration reemphasized oil and gas extraction and ranching—but overall, the environmental era has made the playing field itself more level and open to all interested participants.

### ***The Limits of Current Policies***

These environmental-era policies remain, three and a half decades later, as a core policy framework for environmental protection and ecological conservation. With few exceptions, however—leaded gasoline, PCBs, and a very few pesticides—none of these policies were designed to systematically reduce the actual production and use of serious pollutants. Nor were they designed to manage more pervasive causal factors in human behavior patterns and economic activity, such as the continuing urbanization of the landscape and its ecosystems and the increasing use of energy and materials per capita. Not surprisingly, therefore, by and large they failed to do so. They also imposed substantial administrative costs both on industries and on governments themselves,

and their emphasis on uniform adoption of enforceable existing technologies created inadvertent barriers to more innovative and efficient solutions that might reduce pollutants from production processes entirely.

Ironically, the least effective regulatory programs were not the technology-based air and water permitting programs, but the risk-based, substance-by-substance stat-

utes regulating pesticides and toxic chemicals. These statutes placed an unworkable burden of analysis and proof on the Environmental Protection Agency (EPA), and subjected it to unceasing wars of attrition in both Congress and the courts, with the result that only a handful of substances—out of tens of thousands of candidate compounds—were even fully evaluated, let alone regulated. Arguably, some of these laws were even misdirected to begin with. *Silent Spring* had warned of the impacts of indiscriminate and excessive pesticide use, yet these regulatory programs did not even address use rates, let alone create incentives to reduce them.<sup>4</sup> Pesticide use actually increased by 170 percent from 1964 to 1982.<sup>5</sup> Substance-by-substance regulations were gradually marginalized into endless arguments over what was “good science,” rather than what actions would reduce their use and consequent environmental and health impacts.

Policies that were effective for dealing with large industrial sources were less successful in reducing impacts from the

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many other and more dispersed sources that remained. They reduced pollution from manufacturing and electric utilities but exempted some raw-materials extraction industries and had little effect on the growing environmental impacts of the services sectors (increased transport and packaging wastes by package-delivery services, for instance). They reduced wastewater discharges from

industrial and municipal sources, but many rivers remained polluted by agricultural and stormwater runoff. They improved emission-control technologies for motor vehicles but did not reduce the relentless increase in vehicle miles traveled. Also, by regulating emissions and fuel economy less strictly for vehicles defined as trucks than for cars, policies inadvertently created incentives to turn oversized pickups, vans, and sport-utility vehicles into passenger vehicles. They tightened controls on new pollution sources and chemicals but grandfathered existing ones, protecting existing sources against competition from better alternatives. By focusing on best practicable control technologies, they achieved major short-term improvements but placed new bureaucratic barriers in the way of longer-term innovations.

Other environmental problems, moreover, remained stubbornly unsolved. There was far less political will to impose

tural dependence on automotive and air transport fueled by cheap fossil fuels continued to increase rather than moderate. Essential infrastructures for water, energy, and transport, most built more than a half century ago, continued to age faster than they were repaired or replaced. Larger economic forces and technological changes, meanwhile, continued to generate new challenges as well as opportunities, including “factory farms” for intensive livestock production; deregulation of electric utilities; coastal urbanization even in the face of potential sea-level rise; residential development in fire-prone western forests; the commercialization of genetically modified organisms; and the advent of nanotechnologies.

Most fundamentally, U.S. consumption of energy and material resources continued virtually unchecked, drawing on an increasingly global economy whose environmental and social costs elsewhere

remained largely invisible to most U.S. consumers. As historically poorer countries—China in particular—began to adopt U.S. aspirations for material and energy consumption, the prospect was for continued increases in human impacts on natural processes and ecosystems rather than stabilization or reduction of them.

In addition to its impacts on environmental outcomes, the environmental era also left an

important political legacy. The distinctive positive element of this legacy was the democratization of information, access, and rights of challenge to governmental decisionmaking affecting the environment. Key examples included the Freedom of Information Act, NEPA’s environmental impact statements, and statutory rights to sue both businesses and government agencies to enforce the environmental protection statutes. These policies did not fully or permanently neutralize the influence of entrenched commercial interests, but they did substantially open the process to other stakeholders’ values, the full range

of relevant information, and far more widespread and transparent public debate. Coupled with the concurrent Internet revolution in public access to information and organizational networks, the environmental era produced a powerful and enduring increase in the public’s knowledge and its role in environmental decisions. This increase continues to spread worldwide, notwithstanding the resurgence in corporate power and influence that has also occurred.

This political legacy did not, of course, automatically favor groups that identified themselves with the organized environmental protection movement. Environmental advocacy groups pioneered in its development and benefited from its initial successes, but over time these procedures proved equally open to groups representing the interests of property owners against environmental regulations, conservative law groups using the tactics of the “green” groups in pursuit of different outcomes, and even front groups for business interests. Nonetheless, by making all the impacts of proposed decisions more visible to everyone who might be affected, this increase in transparency and access marked one of the distinctive and enduring contributions of the environmental era, to environmental policy and to governance more generally.

An underside to this legacy in practice, however, was the emergence of a stridently adversarial, litigious, and polarized political process, in which each side sought tactical advantage by demonizing opposing interests rather than building processes for good-faith negotiation of workable solutions. Environmental advocacy groups regularly attacked businesses, property owners, and other more intrusive users of the environment as symbolic villains (not always without cause, but often indiscriminately) to elicit contributions and mobilize public pressure. These groups in turn attacked environmental groups as unreasonable and self-righteous purists, while rebuilding their own political influence by supporting some of the most ideologically extreme opponents of environmental policies—rather than mod-

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serious restrictions on farms, land development, small businesses, local governments, households, and individual behavior such as motor vehicle use than on large manufacturing industries. Urban smog therefore continued in many cities, and waste generation per capita continued to rise. Despite improvements in energy efficiency, energy use per capita in the United States remained high, as did emissions of greenhouse gases and the production of polluting chemicals. Urbanization of the landscape and related impacts on wetlands and other ecosystems continued to spread. The U.S. economy’s struc-

erates seeking workable solutions—for national political office. The main casualties of both these strategies were the trust and the institutional processes for good-faith negotiation that would be necessary to achieve sustainable, workable, and fair environmental policies.

### **International Environmental Diplomacy**

Before the 1990s, it was widely taken for granted in the United States that environmental policy was a matter of domestic policy and that the United States had the political, geographical, and economic independence to act autonomously in such matters. If international environmental issues were discussed at all, they were considered merely a few exceptions to the rule—trafficking in endangered species, transboundary issues such as Great Lakes water quality and acid rain, protection of whales and ocean fisheries—and peripheral to the mainstream of U.S. environmental policy debate. They were also peripheral to the mainstream of U.S. foreign policy, which was dominated by Cold War national security issues and economic issues such as trade-balance deficits and manufacturing competitiveness.

In fact, however, the United States has been an important participant in international environmental policymaking. Many U.S. environmental policies became influential models for other countries and for international approaches. Examples included technology- and health-based pollution standards and the extensive U.S. scientific basis for them; NEPA's environmental impact assessment procedure; endangered species legislation; and provisions formalizing the rights of citizen groups to obtain government documents and participate in policymaking.

For the United States, the period after World War II was one of “fortuitous affluence.”<sup>6</sup> Its economy emerged from the war uniquely intact and robust, its military power was rivaled only by that of the Soviet Union, and its socioeconomic conditions provided widespread middle-class material comfort and economic security.

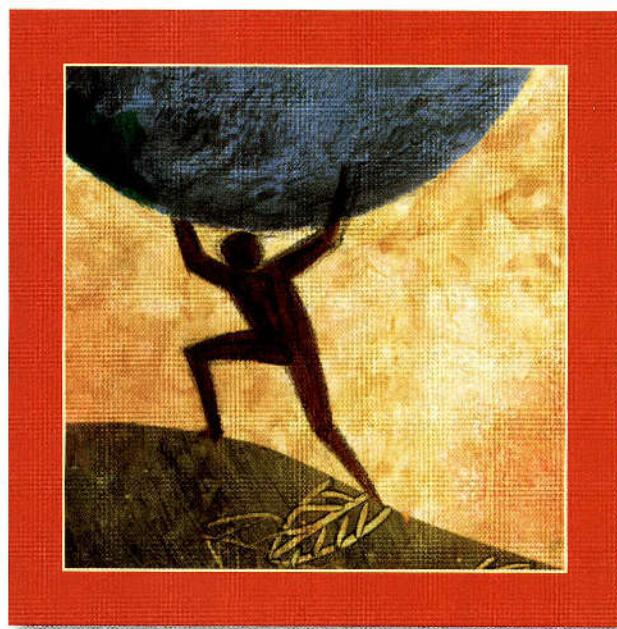
The collapse of the European empires opened new resources and markets to U.S. firms worldwide.<sup>7</sup> Their replacement by new United States-sponsored institutions for economic recovery, trade, and multi-national negotiation—the Marshall Plan, the International Bank for Reconstruction and Development (the World Bank), the International Monetary Fund (IMF), the General Agreement on Tariffs and Trade (GATT), and the United Nations and its specialized agencies—also created an era of unprecedented U.S. involvement and dominance in world affairs.

To President Harry Truman, economic development aid was essential for giving the world's poor an alternative to the Communist dream.<sup>8</sup> Poor countries with strategic locations or resources thus received competing offers of economic aid from free-world and Communist countries; others also received assistance in exchange for their economic cooperation and political support. To most Americans, food aid programs like Food for Peace sounded like models of humanitarian generosity, but in reality they served mainly to

develop cheap new suppliers and export markets for U.S. producers, dispose of subsidy-driven surpluses of U.S. crops, open export markets for U.S. farmers, and promote U.S. foreign policy interests.<sup>9</sup> Only 20 percent of the food aid was distributed directly to hungry people; the remainder was given to friendly governments to sell to their consumers.<sup>10</sup> Disproportionate amounts were distributed not to the hungriest countries but to militarily strategic governments, countries where the Agriculture Department wanted to promote U.S. farm exports, and countries where U.S. administrations sought

to promote U.S. political interests, such as in Central America under President Ronald Reagan.<sup>11</sup>

Foreign aid programs reflected a basic presumption that all the newly independent countries could and should move through a series of “stages of economic growth” toward the models of the United States and other industrialized capitalist countries.<sup>12</sup> Their instrument was to promote large-scale public investments in transforming the world's landscapes for export production and for industrial, urban, and more intensive agricultural uses, with the benefits and the costs and environmental impacts that accompanied



such uses. Green Revolution food production programs, for instance, used western science and technology to develop high-yield crop varieties for increased production in poor countries. Many of these programs were highly successful, especially, for instance, in increasing rice and wheat production in Asia. However, they also required far heavier application of chemical fertilizers and pesticides than previous practices and promoted the conversion of small-scale farms that used diverse indigenous seed stocks into larger-scale monocultures operated by fewer and larger farm businesses.

To its credit, the United States also led in creating worldwide programs for family planning, directly and through the work of private philanthropies such as the Ford and Rockefeller Foundations. Rapid global population growth was one of the most powerful new environmental threats inadvertently created by the worldwide spread of western medicine, which sharply reduced worldwide death rates without at the same time reducing birth rates. Providing education and products by which people could limit their reproduction was thus an essential complement to economic development programs. The United States led the initiative to create the United Nations Fund for Population Activities in 1969 and became by far its largest contributor.

In 1968, the United Nations Educational, Scientific and Cultural Organization (UNESCO) convened a Conference of Experts on the Biosphere, which affirmed for the first time the importance of viewing the world's environment as an organic, interrelated whole—a biosphere—rather than merely a collection of individual economically useful resources. It also identified the role of human activity as a pervasive altering agent and the possibility that such activity might cause irreversible damage. Based on these concerns, the conference's experts called for the first full-scale United Nations Conference on the Human Environment, which was held in Stockholm in 1972.<sup>13</sup>

The 1972 Stockholm conference was a landmark event in raising worldwide awareness of environmental issues. The United States played an important leadership role there, and its emerging environmental policies were widely regarded as models. The conference's debates were marked by intense conflict between speakers concerned about human impacts on the biosphere and speakers from poorer countries who retorted that these issues were merely the narrow concerns of the affluent nations and that the real issues should be socioeconomic development and the correction of economic injustice. The result was a compromise document, which declared that nations had an obligation to

ensure that their actions did not cause environmental damage to others but also that they had a sovereign right to exploit their own resources in any way they chose.

Despite these conflicts, the Stockholm conference produced several valuable results. It legitimized the biosphere as a subject for national and international policymaking and delineated more than a hundred sets of issues and recommendations.<sup>14</sup> It also led directly to the creation of the United Nations Environment Programme (UNEP), the creation of environmental ministries and policies by most of the world's governments, and the emergence of an active network of international nongovernment citizen environmental organizations.

By 1973, major international agreements were signed to protect the world's cultural and natural heritage, prevent marine pollution by waste dumping, restrict trade in endangered species, and reduce pollution from ships.<sup>15</sup> A convention on long-range transboundary air pollution (LRTAP) was signed in 1979, and further protocols dealing with sulfur and nitrogen oxides were penned in 1985 and 1988. The United States played an active and constructive role in many of these negotiations.

### ***The Limits of U.S. Engagement***

Unlike many other countries, however, the United States' own environmental policies showed little reciprocal influence from international models. International environmental policy documents asserted broad principles to guide decisions—the “polluter pays principle,” the “precautionary principle,” and the “subsidiarity principle,” for instance—but this language rarely trickled down into U.S. environmental laws or policy debates. With only a few exceptions, such as the ozone layer and global warming, U.S. environmental policies continued to be framed almost entirely as domestic issues, driven by ad hoc political pressures rather than by international priorities or policy debates.

With the election of President Ronald Reagan in 1980, moreover, the United

States retreated from international leadership both on environmental issues and in multilateral policymaking more generally. The Reagan administration immediately dropped the Carter administration's *Global 2000* environmental study, and, in particular, its assertion of a U.S. national interest in international environmental governance efforts. In contrast even to previous Republican presidents, Reagan rejected the idea that the United States would benefit from any kind of “world order,” and he repudiated agreements such as the proposed Law of the Sea Treaty—which had actually been initiated by President Richard Nixon, and offered substantial benefits to U.S. interests such as shipping and commercial fishing—as manifestations of a “collectivist ideology.”<sup>16</sup> At the 1984 United Nations Population Conference in Mexico City, Reagan ended U.S. support of international family-planning programs as well, converting them instead into a domestic political wedge issue to mobilize alliances among political, economic, and religious conservatives. Under Reagan, the United States was the only nation to vote against the innocuous World Charter for Nature in 1982, and was the lone vote against a 1983 General Assembly resolution to protect people from imported products harmful to health and environment.<sup>17</sup> These changes reflected a more fundamental reassertion of a unilateral approach to world affairs, returning primary emphasis to national self-interest as the goal of foreign policy and U.S. military and economic pressure as the means.<sup>18</sup>

One exception to this unilateralism was Reagan's agreement to the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer, in which the United States, among others, played a key leadership role. In 1978, the United States had banned “nonessential” uses of chlorofluorocarbons (CFCs) as aerosol propellants, but by the mid-1980s these reductions were more than offset by growth in other uses. In 1985, British scientists unexpectedly discovered a deepening seasonal “ozone hole” over the South Pole, and in 1987 the United States and other major

producer countries signed the Montreal Protocol, which agreed to phase out the production and use of CFCs. The phaseout timetable was tightened in 1990 and again in 1992, 1997, and 1999; many of the largest and fastest-growing less-developed countries such as China and India also agreed to join the agreement, although this was contingent upon a stipulated longer phase-out period for themselves and other less-developed countries.

The Montreal Protocol offered a hopeful example for other international environmental issues (see Figure 1 on this page). Unusual among international treaties, it incorporated a procedure for continuing review and for refinement as scientific knowledge changed, and it required that a strong majority of the producer nations sign on as a condition of its going into effect. The United States played a leadership role, as did some of its leading producer firms, which followed the judgments of their own scientists and positioned themselves to produce substitute chemicals instead.

However, the ozone layer issue was easier than many others in several key respects. It was a threat to everyone: There were no potential winners from ozone layer damage. The producers of the problem were few and were concentrated in just a few industrial countries; it was feasible to control production and monitor compliance. Perhaps especially helpful, the scientific evidence grew steadily more consensual and compelling.

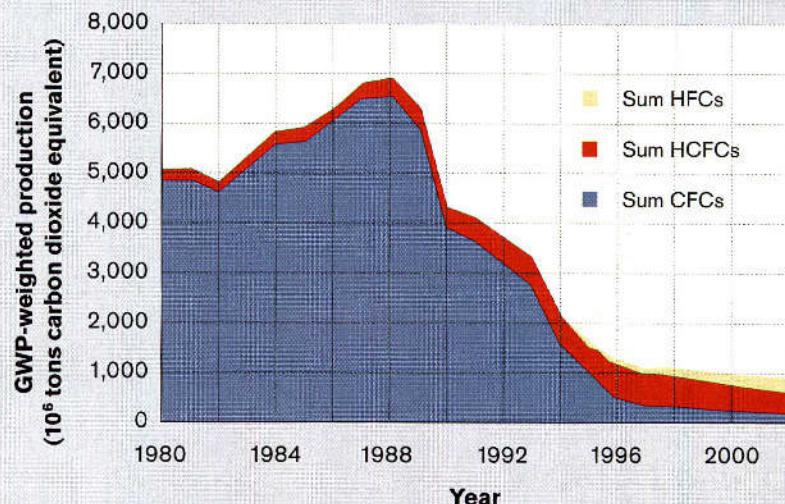
More generally, environmental treaties were only as strong as their weakest links. Not all countries signed them, some signed but failed to ratify them, and even those that ratified them varied widely in their commitment to implementation and enforcement.<sup>19</sup> The United States, for instance, never ratified some major environmental accords, such as the Basel Convention on hazardous waste transport and the Law of the Sea Treaty. It was not clear, therefore, how far the success of the Montreal Protocol could be transferred to more complex and controversial issues, such as biodiversity conservation or global warming.

### ***Environmental Diplomacy Under Recent Presidents***

President George H. W. Bush campaigned in 1988 as an "environmental president," distancing himself from Reagan's unpopularity on this issue.<sup>20</sup> Once elected, he initially acceded to pressure from Republicans in Congress to demonstrate that Republicans, too, could lead on environmental protection issues, and he backed EPA Administrator William Reilly in a number of initiatives during his first two years in office. Examples included

advancing the 1990 London amendments to the Montreal Protocol on the Ozone Layer, negotiating a major new Clean Air Act statute (the highly successful cap-and-trade program for using marketable permits to reduce sulfur dioxide emissions from power plants), negotiating acid-rain concerns with Canada, and contributing EPA aid to environmental management agencies in Eastern Europe. Bush also allowed EPA and other agencies to promote international research and technical cooperation on global warming and participate actively in the preparations for the

**Figure 1. Effects of the Montreal Protocol (1987)**



NOTE: This graph shows the dramatic reduction in production of chlorofluorocarbons (CFCs) by industries in the United States, the European Union, and seven other leading producer countries, following agreement to the Montreal Protocol in 1987. By 1992, production of CFCs and HCFCs by reporting companies, weighted by the global warming potential (GWP) for each compound, had declined by about 87 percent from 1988, the peak year; weighted according to ozone depletion potential, it had been reduced by 95 percent. The data included are voluntarily reported to an independent auditor and represent an estimated 40 percent of global CFC production and 73 percent of HCFC production; they do not include data for some possibly significant producer countries, such as China and India.

SOURCE: Courtesy of Alternative Fluorocarbons Environmental Acceptability Study, [afeas.org](http://afeas.org). Originally published in R. N. L. Andrews, *Managing the Environment, Managing Ourselves: A History of American Environmental Policy*, Second Edition (New Haven: Yale University Press, 2006).

1992 United Nations Earth Summit in Rio de Janeiro, the largest gathering of heads of state in history.

By 1991, however, Bush began to distance himself both from environmental issues generally and from international environmental issues in particular. He allowed Reilly and EPA to move them ahead, but he personally equivocated rather than leading, lest he jeopardize his support among Reaganite conservatives and business interests. Alone among the developed countries, the United States under President Bush refused to sign the Convention on Biological Diversity, and the United States also led opposition to binding targets or deadlines for reducing greenhouse-gas emissions.<sup>21</sup> In addition, Bush refused to commit funding to the Global Environmental Facility, a new \$1.2 billion multilateral funding agency for global projects on global warming, ozone depletion, biodiversity, and international waters; ultimately he pledged a token \$50 million (Congress eventually appropriated \$30 million) plus \$150 million in bilateral "parallel funding."

Rio Earth Summit, and ratified by the Senate before Bush left office. At U.S. insistence, this agreement contained no binding targets for reducing emissions of greenhouse gases. However, FCCC did establish broad international agreement on a series of key principles: that the Earth's temperature was rising because of an increase in heat-trapping gases in the atmosphere, at least some of that increase was due to human activities, continued increases could destabilize important global ecological processes, international action must be taken to moderate these increases to nondangerous levels, the industrial nations must bear the bulk of the responsibility for these actions, and developing countries had a right to sustainable development and should not face mandatory emission restrictions until the industrial countries had taken the lead in reducing their own emissions.

The election of Bill Clinton as president in 1992 raised widespread expectations of a return to vigorous presidential leadership in environmental policy. Clinton reaffirmed U.S. support for the United

Nations Population Fund, reversed Reagan and Bush positions by signing the Convention on Biological Diversity and the Law of the Sea Treaty, and endorsed the goal of stabilizing U.S. greenhouse-gas emissions at 1990 levels by the year 2000. All these actions required Senate ratification or congressional funding, however, which were unlikely to occur particularly after the Republicans took control of the Congress in 1994.<sup>22</sup>

Faced with opposition even from many Democrats in Congress, Clinton retreated almost immediately from his proposal of a broad-based energy tax to a marginal increase in gasoline taxes, leaving himself

with no obvious way to achieve his commitment to reduce greenhouse gas emissions to 1990 levels, but he continued to advocate a treaty with binding targets for reductions.

At subsequent negotiations in 1997, the participating countries adopted the Kyoto Protocol on Climate Change, which committed the industrialized nations by legally binding agreement to reduce their emissions. Clinton signed the agreement to lock in compromise provisions included at the U.S.'s insistence, but in the face of overwhelming Senate opposition, announced that he would not send it to the Senate for ratification until the less-developed countries also accepted binding commitments for emission reductions. He thus reaffirmed his administration's commitment to international environmental diplomacy, but at the price of deepening conflict with senators of both parties and with the domestic constituencies whose actions would be necessary to achieve the agreement's goals.

In trade policy, the Clinton administration also negotiated a precedent-setting environmental "side agreement" to the North American Free Trade Agreement (NAFTA) before submitting it to Congress for ratification.<sup>23</sup> NAFTA's environmental provisions, limited though they were, made it the greenest trade agreement the United States had ever adopted. It specifically stated that the provisions of key international environmental agreements took precedence over NAFTA, thus addressing a chief concern of many environmental advocates. It also affirmed the right of each nation to enforce "generally agreed-upon international environmental or conservation rules and standards," as long as they were the least trade restrictive necessary to achieve the environmental protection goal and did not appear to have trade-protectionist intent. It established a Commission on Environmental Cooperation to consider the "environmental implications of products throughout their life cycles," formalized the right of citizens to submit environmental concerns to the commission, and allowed some of the commission's reports to be made



One important exception to this recalcitrance was Bush's commitment of U.S. participation in the Framework Convention on Climate Change (FCCC), which was adopted in May 1992, signed at the

public. Finally, it authorized each country to use fines and trade sanctions against the others for failure to enforce their own environmental laws, a provision that went substantially beyond the principles of the World Trade Organization and opened the way to effective sanctions against using environmental destruction as a trade advantage.

President George W. Bush rescinded Clinton's support of international family-planning assistance programs and prohibited U.S. support for any agencies that even discussed options other than abstinence as methods of family planning, leading to cuts of about 13 percent of the annual budget of the United Nations Population Fund. Two months into his presidency, he also renounced his campaign commitment to reduce power-plant emissions of carbon dioxide and withdrew the United States from the Kyoto Protocol negotiations on reduction of greenhouse gases. The treaty ultimately was ratified by 157 governments, including all the world's major industrial countries except the United States and Australia, and entered into force in 2005. Bush's withdrawal of U.S. participation thus left the United States more isolated internationally, its influence diminished, and its businesses excluded from participation in the emissions trading opportunities created by the agreement.

Bush continued to assert U.S. support for the 1992 Framework Convention on Climate Change, the more general agreement that the Kyoto Protocol was intended to implement and that the earlier President Bush had signed and the Senate had ratified. George W. Bush also continued to refuse U.S. participation in any negotiations that might consider binding targets. U.S. greenhouse gas emissions, meanwhile, continued to increase.

Finally, Bush continued Clinton's advocacy for expanded trade agreements. As world trade negotiations remained stalemated over U.S. and European agricultural subsidies, Bush championed new multilateral trade agreements with Jordan (2001) and other Middle Eastern countries as well as a number of South

American, Central American, and Caribbean nations (the latter two regions as part of the Central American Free Trade Agreement (CAFTA)). Following on the NAFTA precedent, most of these treaties included explicit environmental-protection clauses. Unlike NAFTA, however, the only remedies for environmental enforcement complaints were petitions for domestic law enforcement and fines within the relevant country, rather than an independent multilateral environmental oversight commission and trade sanctions.

It would be a mistake to blame the United States' repeated retreats from leadership in international environmental policies only on its presidents, however, and thus to pass over the equal and more enduring role of the U.S. Senate. Since 1975, the United States has ratified at least six global environmental treaties—including agreements on trade in endangered species, transboundary air pollution, protection of the ozone layer (two agreements), climate change (FCCC), and desertification—but it has failed to ratify many more. In addition to the Kyoto Protocol, it has so far been one of the few countries that has refused to ratify treaties on conservation of migratory species, the law of the sea, biological diversity, biosafety, international trade in hazardous wastes and hazardous chemicals, ocean dumping of hazardous materials, and persistent organic pollutants (POP) (as well as agreements on the rights of children, protection of women, banning of land mines, an international criminal court, and a comprehensive ban on testing of nuclear weapons, among others). Nor has it adopted many of the broader principles established through international agreements into its domestic legislation, such as the precautionary principle, the "polluter pays" principle, and sustainable development.

Presidents such as Ronald Reagan and George W. Bush were responsible for rejecting several of these agreements, but the rest were blocked by the Senate—even some, such as the Law of the Sea and POP treaties, for which

President George W. Bush recommended ratification. A two-thirds majority in Congress is required to ratify treaties, and thus a determined minority can prevent ratification. Such opposition has been present in the Senate at least since the

## The United States was the only nation to vote against the World Charter for Nature.

early 1990s, motivated by domestic politics, the increasing responsibilities that many of these multilateral environmental agreements would impose on the United States, and more fundamental objections to the convention-protocol approach itself as an intrusion on national sovereignty.<sup>24</sup> This opposition has only been strengthened by the recent politics of international conflict, terrorism, illegal immigration, and offshoring of jobs. Unusually committed presidential leadership, and probably some new coalescence of pressures from environmental and business constituencies as well, will be necessary to achieve credible U.S. participation in international environmental agreements in the future.

## The Present: "Base Politics" and Political Gridlock

By the 1990s, all the defining features of the environmental era came under severe counterattack, at least at the national level. Bipartisan consensus on environmental policy gave way to stridently ideological and partisan conflict. Legislative policymaking became gridlocked, as businesses and other groups reasserted the power of organized economic and political interests while mass support became more passive. Politicians of both parties increasingly used the environment merely as a symbolic issue to motivate their political base

or to burnish their public image, rather than as a priority for further progress. Environmental regulations were increasingly portrayed as intrusive and ineffective “command-and-control” restrictions, despite their documented successes in reducing pollution and protecting endangered species and ecosystems.

The tragedy of this gridlock was not just the stalemating of new regulations or the costly burdens imposed on business and governments, but the breakdown of effective governance and the political support for effective governance

political coalition strong enough to champion them, and mutual distrust remained too widespread to build an effective alliance between environmentalists seeking better results and businesses seeking cheaper ones. EPA was the agency people loved to hate, stalled at a turning point between reform and reaction. Powerful and conflicting constituencies—innovative and recalcitrant businesses, progressive and reactionary states, environmental advocacy groups, and supporters of each of these interests in Congress—each had the power to veto the others’ proposals. Fur-

ther improvements in environmental policy appeared to require either some major new precipitating event or a redefinition of the issues to address environmental policy problems in the contexts of other sectors directly: in legislation reforming

agriculture, defense, energy, trade, transportation, and other sectors. After a quarter century of impressive though imperfect results and considerable experimentation and innovation at its margins, national environmental regulation in the United States was largely stalemated, carrying on with some progress and regress but with little political room for significant reform.

In short, in many respects, the policy successes of the environmental era merely slowed, postponed, or displaced problems rather than producing permanently sustainable solutions or even stable and capable institutions for managing them. By the dawn of the twenty-first century, the impacts of human activities on the natural environment remained in many respects just as serious, and in important respects even more so, than at the galvanizing moment of mass public awareness and support on Earth Day 1970, yet, particularly in U.S. national policymaking, the political conditions were no longer as favorable for addressing them.

As the twenty-first century began, the policies of the administration and Congress shifted yet again, reopening environmentally sensitive lands to logging and oil and gas extraction, reducing diesel pollution but weakening pollution control requirements on some other industries, and temporizing on motor-vehicle fuel efficiency and greenhouse-gas emissions. On most global environmental issues—global warming, biodiversity losses, fishery declines, desertification, population pressures, and others—the United States abdicated its early leadership role and instead became the single major nation that most often failed to ratify and implement international environmental policy agreements. Beginning in 2002, with the capture of both houses of Congress by a business-dominated, anti-regulation Republican majority, the pattern of federal policymaking shifted increasingly toward relaxing or even reversing some of the major policies of the environmental era. More fundamentally, the Bush administration sought to reassert far more systematically the discretionary authority of the president and of federal agencies to undertake commercial or military use of environmental resources—such as oil exploration in the Arctic National Wildlife Refuge, logging and natural gas development in the western states, siting of liquefied natural gas ports, and establishment of military training ranges—by reducing statutory and regulatory protections of these resources and citizens’ rights to protect them by lawsuit.

Notwithstanding its achievements, environmental policymaking in the United States has developed in patterns that are uneven, limited, adversarial, and vulnerable to political instability. Environmental policies have existed throughout U.S. history and have included remedies to but also causes of many environmental problems. Government actions are necessary to achieve many environmental purposes but are not always sufficient and are vulnerable to side effects and failures of their own.

Policymaking in the United States is often described as a pendulum, swinging

All too often, reform has come only from responses to crises rather than from foresight and proactive adjustments to prevent crises.

that was necessary to solve environmental problems. The support for effective governance that created the New Deal, or even that produced EPA itself in the 1970s, had been replaced by a pervasive distrust toward governance, which was all too easily justified by politicians who increasingly abused it while cynically manipulating public distrust to undermine it further.

Thoughtful observers of the environmental regulatory system shared a strong consensus about the fundamental reforms that were needed and the basic principles that should guide them: a focus on environmental results, an explicit and integrated statutory mission, the flexibility to set priorities and carry them out, national standards with far more flexibility for state and local governments as to how to achieve them, more flexible use of market-based incentives, far richer use of information, and the integration of fragmented statutes into a coherent framework.<sup>25</sup>

For all this reasoned consensus on desirable policy reforms, however, there was no

periodically back and forth between pro- and anti-government forces rather than as a cumulative process of improvement in governance or refinement of policy. Rather than a progressive maturation of its capacity to manage environmental problems, then, the United States has experienced repeated swings of the pendulum between initiatives to create and organized efforts to weaken or destroy effective environmental governance. The 1970s was a period of unusual public consensus and bipartisan collaboration, a "window of opportunity"<sup>26</sup> or "republican moment"<sup>27</sup> for creating strong new national policies for environmental protection and management. The period since 1994 represents its opposite, not a consensus on some different policy or even a willingness to collaborate in reforming these policies further, but a period of partisan and ideological divisions, distrust, and dysfunctional politics.

The history of U.S. environmental policy is not therefore a history of triumphal progress, although some important progress has occurred. It is, rather, a history of constant tension between the impacts of human use of the environment—encouraged and abetted by government policies—and the intermittent punctuations of these patterns by policy reforms to protect common values of the environment that are at odds with more direct user interests.

Nor is it consistently a history of an environmentalist public fighting for reform against corporate special interests and their captive government agencies, although that theme forms a strong undercurrent in modern U.S. environmental politics. In some cases, such as the modern environmental movement, the reform impulse has come from grass-roots mobilization and organized civic environmental groups, although the political power of mass mobilization is difficult to sustain. In other periods, such as Progressive conservation and the New Deal, the impetus for reform came from strong executive leadership without obvious public mobilization. In practice, cloaking environmental politics in anti-corporate rhetoric can be effective for some environmental issues but risks overlooking opportunities for alliances with those businesses whose interests may lie with greater environmental protection; and on some issues the cumulative effects of individuals' and small businesses' actions can be as damaging to the environment as those of big corporations. The Sagebrush Rebellion, the self-styled "wise use" movement in the 1990s, and the highly mobilized off-road vehicle user groups serve as reminders that grass-roots public advocacy groups do not inevitably support environmental protection policies.

All too often, reform has come only

from responses to crises rather than from foresight and proactive adjustments to prevent crises and to encourage transitions toward a more environmentally sustainable and just society.

## Managing the Environment, Managing Ourselves

The enduring challenge for environmental governance remains the fact that the human environment is a common good, in fundamental respects even if not in all. Protecting and maintaining it therefore requires governance as well as markets: not just managing the environment itself, but managing ourselves. Yet governance itself is vulnerable to serious imperfections: the inherently greater incentives for political mobilization and influence by those with immediate and individual economic interests in the outcomes, the entrenched power of organized beneficiaries of government action or inaction, the incentives for free-riders and rent-seekers to manipulate government decisions for their own benefit, the inherent imperfections of collective decisionmaking processes (pork-barreling, log-rolling, vote trading, and compromising by "splitting-the-difference" as well as ideological and partisan divisions and the high transaction costs of reaching collective agreements),

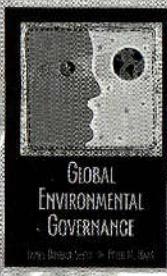
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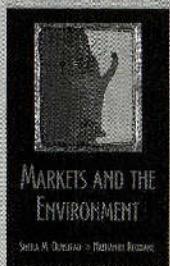
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government failures such as jurisdictional externalities and displacement of impacts onto others, and the rigidity and inertia even of imperfect or archaic policies.

The history of U.S. environmental policy suggests that strong protective policies for the common good have occurred only under unusually strong and visionary presidential leadership (as under Theodore Roosevelt and Franklin D. Roosevelt, for instance) or in response to intensively mobilized public demand (as in the recent environmental era), which often emerges in response to crises and is itself inherently difficult to sustain.

The authors of the Millennium Ecosystem Assessment identified a series of specific changes in policies, institutions, and practices needed to manage the shared use of our common ecosystems. To sustain

subsidies to payments for non-marketed ecosystem services. They must integrate ecosystem management goals into all sectors that affect them and increase the accountability of governments and businesses for their ecosystem impacts.<sup>28</sup>

At present, such measures are largely absent from U.S. environmental policy, and the national political will and leadership even to consider them are largely lacking as well. The battles to protect the major policy achievements of the environmental era will continue, and innovations are still emerging from state and local governments as well as worldwide. But the particularly favorable political conditions that defined the environmental policy era from the 1970s to the 1990s and gave political momentum to that era's agenda—national public attention and

mobilization, bipartisan cooperation in Congress, and widespread support for stringent regulation as a primary policy tool—have largely dissipated, and the capacity for further national

environmental good. Such visions have emerged at several points in the past. Examples include the sanitation movement of the nineteenth century; the City Beautiful movement of the 1890s; the Progressive civic reform and conservation movements that followed it; the New Deal vision of combining ecological, social, and economic recovery; and the vision of a modern society in harmony with its natural environment that was articulated in NEPA and widely voiced by the American public on Earth Day in 1970.

Such visions are largely absent in the United States today. The modern environmental movement has been far more effective as an opposition movement rallying the public to arms against corporate polluters and government despilers than in articulating a coherent positive vision. EPA's vision is largely limited to reducing the most serious threats to health and justifying its regulations, not articulating a more positive or comprehensive environmental and social vision. Free-market advocates offer a vision of freedom from taxation and government compulsion, implying that individuals can buy the environment they want, but this scenario offers nothing to the less affluent and ignores the common-good elements of the environment that affect rich and poor alike. And many businesses promote images of corporate social responsibility while seeking policies that favor only their own short-term gain. More generally, U.S. political discourse has become more and more casually cynical toward government, which bodes poorly for efforts to rebuild its effectiveness for achieving the common good.

The closest current approximation to such a vision is perhaps the idea of sustainable development, as articulated by the United Nations' World Commission for Environment and Development in 1987 and in the Agenda 21 document endorsed by the 1992 United Nations Earth Summit in Rio de Janeiro. The commission envisioned sustainable development as a pattern of development that would meet the needs of human communities today with-

## The enduring challenge for environmental governance remains the fact that the human environment is a common good, in fundamental respects even if not in all.

the health of essential ecosystem services, they argued, human societies must reduce aggregate consumption of unsustainably managed ecosystem services and empower groups that are dependent on ecosystem services to protect them themselves. They must actively promote technologies that increase energy efficiency and reduce greenhouse-gas emissions, increase crop yields without harmful impacts, and restore ecosystem services that have been degraded. To achieve these changes, they must make greater use of economic instruments and market-based approaches in the management of ecosystem services and incorporate non-market values of ecosystems into resource management decisions. They must eliminate subsidies and "free" access for damaging use of ecosystem services and, where possible, transfer these

policy innovations has been circumscribed by resurgent antiregulatory business influence and gridlocked by interest-group politics. By dismissing environmental concerns and multilateral governance institutions and refocusing the national agenda overwhelmingly on war, business, and ideological battles against government regulation, today's political leadership has made the United States increasingly unprepared to deal effectively with these challenges.

The enduring challenge for U.S. environmental policy is to build, maintain, and constantly renew public support for effective environmental governance, at home and worldwide. To meet that need, U.S. environmental policy today must recover an essential missing element: a broadly shared vision of the common

out jeopardizing those of the future, and its vision specifically included economic development, ecological sustainability, and social equity as essential and interdependent elements. Critics have attacked this concept as merely papering over hard trade-offs behind a facade of coherence, allowing each country or business or interest group to rationalize it in whatever ways suit its own interests. That possibility remains a real risk. The value of the vision, however, is that it at least articulates these issues in a common framework and proposes that they must be solved jointly. Whatever the difficulty in practice, it articulates a worthwhile common frame of reference for evaluating specific initiatives and policy proposals.

### **Toward a New Environmental Policy Era**

A new environmental policy era is needed—a new environmental governance era—to address the major environmental challenges that loom ahead. To generate such an initiative, however, will require a far more widespread reaffirmation of public support for such a vision of the common good and for fair, open, and purposeful governance processes to achieve it. It will also take skillful framing and mobilization of political support and effective use of windows of opportunity to place these issues on the policy agenda. Finally, it will require a commitment to good-faith, multi-stakeholder negotiations by businesses and business interest groups as well as environmentalists and other stakeholders to build a workable new mainstream consensus on reasonable solutions to these challenges.

Such new eras in the past have been set in motion by crises, exceptional and usually fortuitous presidential leadership, the emergence of broad-based political coalitions demanding and supporting change, or combinations of these elements. At present, potential crises are as likely to be manipulated by advocates of conflicting agendas who are already well organized to do so: A crisis in oil prices, for instance, could be used as justification for all-out

drilling as well as further military actions to maintain foreign supplies rather than for stronger energy-efficiency standards and proactive transition to alternative fuels. Some governors offer emerging examples of environmental leadership at the state level and may become national leaders as well, but presidential leadership remains lacking and congressional leadership stalemated. Is there any prospect, then, for a new political coalition in support of sustainable solutions?

The political battle lines in national environmental politics are often portrayed as environmental advocacy groups versus businesses and property owners, liberals versus conservatives, blue states versus red states, elitists versus common people. In reality, however, these divisions do not accurately define the environmental interests at stake. Businesses themselves are deeply divided between those within each sector that seek to modernize and innovate, often reducing environmental impacts, and those that seek policies allowing them to continue environmentally damaging processes and profit from environmentally damaging products. Some entire business sectors, such as the insurance industry, have significant interests in stronger environmental protection, while others depend on maintaining the

status quo. Some red-state ranchers and forest managers abuse public lands, but others are deeply committed to long-term land and wildlife conservation and troubled by the impacts of mining and oil and gas extraction. Some conservatives are hostile to government regulation, but others just want it to be predictable and stable, and some are major supporters of conservation organizations. Some religious conservatives are deeply committed to the principles of responsible stewardship rather than merely commercial dominion over nature. Many ordinary people fear for their jobs and economic well-being, but many also are at risk of environmental health hazards and of environmental damage to their communities. By the same token, environmental advocacy groups themselves include many individuals who are open to the concerns of these other constituencies but also others who are so zealously dedicated to their own agendas, so indiscriminately hostile to business, so contemptuous of property owners or rural producers, or so self-righteously certain of the superiority of their own knowledge and values, that they are poorly prepared to help build broader coalitions.

In short, the key fault lines in environmental politics and policy run not

### **James S. Denton Appointed as Executive Director of Heldref Publications**

Ambassador Jeane J. Kirkpatrick, president of the Helen Dwight Reid Educational Foundation, has announced that James S. Denton has been appointed executive director and chief operating officer of Heldref Publications. "We are delighted and fortunate to have Mr. Denton join our team," said Ambassador Kirkpatrick, "and we are anxious to make use of his well-documented vision, leadership, and management expertise to help take the organization to new heights."

Denton previously served as executive director of Freedom House, where he restored fiscal solvency to the organization, dramatically increasing its budget and leading a massive expansion of its international programs and publishing operations. Subsequently, Denton worked as a communications consultant with clients including public broadcasting, several heads of government, and various cultural organizations and think tanks. He has written, edited, and published major works on human rights, democratic development, and terrorism.

between these constituencies but through each of them. Within each, they divide between those who see their interests and values aligned with long-term ecological and community sustainability and those aligned simply with short-term, self-serving outcomes at the expense of such longer-term shared values. The logic of collective action gives an inherent advantage to the latter in that they derive personal and tangible economic benefits from political action. The former, on the other hand, derive only shared and often intangible benefits. Moreover, even within the former group, many often fail to recognize others who share their interests, respect their differences as well as their common interests, or find ways to work effectively together. The question is, under what circumstances might a broader coalition of those with common interests in environmental protection and ecological sustainability be recreated?

The organized national environmental movement was itself originally a loose and unusually broad-based coalition, providing a coherent umbrella to grass-roots and national groups; bridging a wide range of concerns and political attitudes; and even establishing a reputation for greater credibility on many issues than businesses or government agencies in their representations of science, economics, and the public's values. It still performs key roles in lobbying to protect existing environmental laws, litigating to enforce them, publicizing attempts to weaken them, and proposing—although less often successfully—measures to strengthen them. Fairly or not, however, it no longer carries the image of as broadly-based an umbrella coalition for many who share environmental goals and concerns but also identify themselves as business owners and executives, conservatives, Republicans, ranchers, people of color, and other constituencies.

A new coalition would clearly need to include the best leaders from the national environmental advocacy groups but also influential leaders from these other con-

stituencies as well as effective state governors. Within each constituency, these leaders must have the courage and the perseverance to stand up to more single-minded friends and colleagues. The elements of such coalitions are already operating in some states, outside the symbolic battles and trench warfare among interest groups in the national capital. There are also examples of such cooperation in some emerging energy policy coalitions. Barring some new defining crisis or leadership commitment, the future of U.S. environmental policy will be shaped by the reemergence—or failure to emerge—of a new broad-based national coalition for an ecologically sustainable economy and inclusive and democratic society.

Richard N. L. Andrews is the Thomas Willis Lambeth Distinguished Professor of Public Policy at the University of North Carolina, Chapel Hill. The text of this article is edited excerpts adapted from his most recent book, *Managing the Environment, Managing Ourselves: A History of American Environmental Policy*, Second Edition (New Haven and London: Yale University Press, 2006).

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17. Caldwell, note 13 above, 91.
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