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### Transforming environmental policy: Does Europe lead the way?

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## Review Essay

# Transforming Environmental Policy: Does Europe Lead the Way?

**Environment and Sustainability Policy: Creation, Implementation, Evaluation** by Stephen Dovers. Sydney: Federation Press, 2005. Pp. xi + 196; index. A\$45. ISBN 1 8628 7540 5

**Environmental Policymaking: Assessing the Use of Alternative Policy Instruments** edited by Michael Hatch. Albany, NY: SUNY Press, 2005. Pp. x + 265; index. US\$85 (hardback). ISBN 0 7914 6347 8

**Environmental Policy in Europe: The Europeanization of National Environmental Policy** edited by Andrew Jordan and Duncan Liefferink. London: Routledge, 2004. Pp. xix + 251; index. £75 (hardback); £20 (paperback). ISBN 0 4153 3941 3 and 0 4154 0679 6

**Managing Leviathan: Environmental Politics and the Administrative State**, 2nd edn, edited by Robert Paehlke and Douglas Torgerson. Peterborough, Ontario: Broadview Press, 2005. Pp. xv + 351; index. £24.99 (paperback). ISBN 1 5511 1583 2

The four books under review are all concerned, directly or indirectly, with the fashionable concept of environmental governance. Although open to many different interpretations, it is generally accepted that environmental governance is an approach to environmental problems that involves decentralisation, flexibility, a 'hands-off' approach to regulation, better integration of policy-making and greater dialogue and cooperation between government and non-state actors. Most observers regard it as a precondition for the achievement of sustainable development or ecological modernisation. So where is progress towards environmental governance most advanced? In 1990, when the first edition of *Managing Leviathan: Environmental Politics and the Administrative State* was published, it was normal to look to the USA for leadership in environmental policy. Since then, as Paehlke and Torgerson observe in the preface to the second edition, a key change has been the emergence on the global stage of 'American exceptionalism' – first visible at Rio, then fulsomely embraced by George W. Bush in his rejection of the Kyoto Protocol. Even when, as in the Clinton/Gore years, the federal

government is not explicitly anti-environmentalist, it has done little for the environment. Today, few people now look to the US federal government for innovation in the environmental arena, although there are still interesting developments at state and municipal levels. Instead, most observers turn to Europe – to the pioneer nations of northern Europe and to the European Union (EU) itself – for environmental leadership and innovation. The four books reviewed here are concerned directly or indirectly with aspects of environmental governance; and three of them tell us something about US exceptionalism and European leadership.

Despite the huge growth in the academic literature on environmental policy, there are relatively few books, or handbooks, on ‘how to do’ environmental policy. In *Environment and Sustainability Policy: Creation, Implementation, Evaluation*, Stephen Dovers tries to offer an approach to environmental policy analysis that is ‘simple and accessible enough to be used, but detailed enough to be useful’. He succeeds admirably: the book is clearly written, sensibly structured, packed with information and conveys a very good sense of what the problems are and how we might go about resolving them. Although academically informed, it has a practitioner focus. One particular strength of the book is its effective linking of the general policy analysis literature with the specific challenges of sustainability. Thus the first part identifies the particular issues and problems associated with making environmental policy and sets out an analytical and prescriptive framework based on four key elements of the policy process: problem framing, policy framing, policy implementation, and policy monitoring and evaluation. In the second part, Dovers applies this framework, whilst in the two final chapters he focuses on some familiar problems, namely: the need for greater public participation; more transparency, accountability and openness; better policy coordination and integration; and institutional change. Here the normative message is clearly congruent with the environmental governance discourse. Dovers uses illustrative examples, rather than any specific case studies or a country focus, although the Australian provenance often shines through. One might quibble with the ‘stages’ approach to the policy cycle, but it is acceptable as an organising framework in this kind of text. This book is a good starting point for anyone interested in environmental policy, but it would be particularly helpful for any public servant allocated an environmental brief.

*Environmental Policymaking: Assessing the Use of Alternative Policy Instruments*, edited by Michael Hatch, adds to the growing empirical literature on alternative, or ‘new’, environmental policy instruments. Its familiar premise – firmly rooted in the environmental governance discourse – is that the traditional command-and-control approach to environmental regulation, employing uniform standards or specifying particular technologies or processes, has proven inadequate. Hence there is growing interest in alternative policy instruments. The book contains nine case studies, mostly from the US and Germany, but including Japan and some international initiatives, covering

a wide range of instruments such as eco-audits, voluntary agreements, tradeable permits, eco-taxes and environmental impact assessments. The case selection seems quite haphazard, with no obvious rationale for inclusion, such as type of instrument, geography or, crucially, success. But there are some interesting chapters, such as the three German case studies – on the Blue Angel eco-label (Edda Müller), voluntary agreements (Hatch) and eco-tax reforms (Michael Kohlhaas and Bettina Meyer) – which together support the case for European innovation. Certainly, the willingness to use a greater number and a wider range of national eco-taxes in Germany and other European countries, notably as part of a climate change strategy to reduce greenhouse gas emissions, is unmatched across the Atlantic. Yet, as Gary Bryner shows, the US has taken the lead in the use of tradeable permits, and, as EU reports on these topics show, there has clearly been some diffusion and lesson-drawing from the US experience. Bryner concludes that emissions trading works best when, *inter alia*, it is based on accurate emissions information, the emission limits adequately protect the environment and the system is stable, predictable and rigorously enforced. These are lessons that the EU might note as it tries to manage its new carbon emissions trading system, in which carbon prices have fluctuated wildly and several countries have issued far too many permits based on highly unreliable data.

Hatch tries to impose coherency by pulling together the themes in the introduction and conclusion, and identifying common evaluative criteria: greater economic efficiency, environmental effectiveness and technology-forcing capabilities, although these are not applied consistently in each chapter. Hatch's conclusions are sensible if unremarkable: for example, that greater institutional capacity is needed to support environmental initiatives; or, that a weak policy instrument (such as an eco-label or voluntary agreement) can facilitate the introduction of more stringent measures. Perhaps most important is his reminder that policy instruments seldom work effectively when operating alone, but are better as part of a battery of tools and measures. Indeed, given the often unquestioning acceptance of the theoretical economic case for the superior efficiency of market-based instruments, there is also a welcome chapter (Daniel Cole and Peter Grossman) analysing the US Clean Air Act, which shows that where abatement costs are relatively low and monitoring costs relatively high, then traditional command-and-control regulations are likely to be at least as efficient as eco-taxes and tradeable permits.

The original aim of *Managing Leviathan* was to advance an 'alternative orientation to environmental administration', based on the democratic principle of wider and greater participation in environmental decision-making. Since then, although few governments have succeeded in discarding their 'business-as-usual' approach to the environment, huge advances have been made in the way we think about environmental policy. Consequently, the book's normative case for 'environmental administration', which is characterised in the conclusion to the second edition as non-compartmentalised,

open, decentralised, anti-technocratic and flexible, now seems familiar and uncontroversial. It is an orientation that falls comfortably within the discourse of environmental governance. Yet the book's strong commitment to deliberative democracy gives it a distinctive and radical edge missing from most contributions in this area.

In this genuine second edition containing many completely new or substantially revised chapters, there are contributions from some of the leading writers on discursive and deliberative democratic approaches to environmental policy-making, such as John Dryzek on environmental discourse and Frank Fischer on risk-based analysis and the need for a deliberative turn. Reflecting the editors' lament about American exceptionalism, the empirical focus has shifted from North America to the industrialised world, with new European and Australian case studies (although Canada still has a strong presence). These include interesting new chapters on depoliticising environmental politics in Norway (Ingerid Straume), deliberative democratic initiatives in the UK (Graham Smith), a public inquiry into uranium in Australia (Tim Doyle), participation and agency (Andrew Jamison) and the environmental threats posed by globalisation (Jennifer Clapp). Yet one of the strongest lessons flowing from most of these empirical contributions – the broad-based community coalitions associated with the Australian public inquiry into uranium are a partial exception – is the rather gloomy conclusion that the barriers to administrative reform are still high and that wider participation in decision-making remains circumscribed. Whilst Europe can clearly boast some interesting innovations, there is certainly no strong sense from these chapters that these represent a significant advance towards 'environmental administration'. Finally, some of the loose strands in the book are brought together in Peter Christoff's new contribution on 'Green governance and the green state', which makes the increasingly fashionable case for a strong, democratic, green state, and in the editors' own revised conclusion, where they restate the core characteristics of 'environmental administration'.

The third edited book, *Environmental Policy in Europe: The Europeanization of National Environmental Policy*, by Andrew Jordan and Duncan Liefferink, is a very different affair. Unlike the loose editorial reins that characterise the other two edited volumes, this is a carefully designed, tightly organised and systematic comparative analysis that investigates the 'Europeanisation' of environment policy in 10 countries (nine EU member states and Norway). Although the conceptual focus is on Europeanisation, making it of interest to the wider community of EU scholars, the empirical focus is environmental policy. In short, the authors examine the extent of convergence between countries in their environmental policies. The book is a model for anyone planning a rigorous comparative study: the opening chapters clearly define the concept of Europeanisation, set out the policy areas to be compared for convergence (policy content, policy structure, policy style), distinguish the different processes of convergence (emulation, elite

networking, harmonisation and penetration) and identify clear measurement mechanisms. The country case studies are written by a strong line-up of experts, there is an excellent conclusion bringing the themes together and the findings are important.

Jordan and Liefferink adopt a narrow top-down definition of 'Europeanisation', focusing on the impact of the EU on the domestic politics, policies and administrative structures of member states. They find that the EU has 'affected the content of national policy much more deeply than national policy structures and policy style' (230). Significantly, every dimension of national policy has been Europeanised to some extent, even in the pioneer states of northern Europe, but more so where the EU promoted a preventative, source-based policy paradigm that was fundamentally at odds with common domestic practice (as in Ireland and the UK) or the use of explicit emission standards where few existed before (Finland, France, the UK). In short, the EU has produced a 'trading up' of environmental protection regulations across the Community rather than a 'race to the bottom'. Yet the degree of Europeanisation should not be exaggerated. It has had only limited impact on the selection of policy instruments, such as regulations or eco-taxes, at national level. It has not changed policy structures significantly, as most big machinery of government changes such as the creation of environment ministries was introduced for domestic reasons. Nor has it altered policy styles. There is only limited evidence of convergence on a single European model of environmental policy. It would seem that the EU has had most impact with the traditional elements of environmental policy, by tough legislation strengthening regulations covering quality standards and requiring particular technologies and processes. Whilst a stringent body of legislation must underpin any environmental governance framework, there is only limited evidence of the EU influencing progress in some of the more innovative areas of environmental governance, such as the use of new policy instruments. Those countries, including Denmark, Sweden, Germany, the Netherlands and the UK, that have introduced a range of new policy instruments have generally not done so in response to EU pressure.

Overall, of the four books, the Jordan and Liefferink volume is the most important scholarly achievement, both in its design and execution, and in the substantive contribution it makes to our understanding of the Europeanisation (or not) of environmental policy. *Managing Leviathan* is again full of interesting argument and insight, although the overall impact is a little diffuse, whereas the Hatch volume is interesting, but perhaps best dipped into. Dovers provides a useful introduction to environmental policy analysis, of considerable interest to academics and essential for practitioners. All of the books contribute to our understanding of environmental governance, revealing how much has changed in recent years but, crucially, underlining just how far away governments are from anything resembling what Paehlke and Torgerson call 'environmental administration'. Finally, in these contributions whilst Europe emerges as a leader in environmental innovation, its record is still somewhat

patchy. There is no doubt that the large body of EU environmental legislation is more progressive and tougher than anything coming out of Washington (although perhaps not California), but, unfortunately, these books show only isolated examples of European innovation in terms of democratic and citizen initiatives or in the use of new policy instruments.

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