

ENVIRONMENTAL POLITICS

DOMESTIC & GLOBAL DIMENSIONS

SECOND EDITION



Jacqueline Vaughn Switzer

with Gary Bryner

Environmental Politics

Domestic and Global Dimensions

Second Edition

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Preface

When the first edition of *Environmental Politics* was written in 1992, issues of environmental protection were increasingly regarded as global rather than purely domestic problems. The reasons for this change of perspective were many: the collapse of the Communist empire and the opening of doors through perestroika and glasnost revealed Eastern Europe's massive environmental degradation;¹ the June 1992 United Nations Earth Summit brought 25,000 observers and delegates from 178 nations to Rio de Janeiro to prioritize and reach agreement on their common problems;² and crises, such as the environmental damage resulting from the Persian Gulf War, kept the world's attention focused on the international aspects of preserving and protecting the planet's resources.

As we approach the twenty-first century, an evaluation of both domestic and global environmental policymaking provides a mixed review. There is little doubt that progress has been made in solving some problems, although nongovernmental organizations argue that the pace of implementing laws is agonizingly slow. In the United States, for example, groups such as the American Lung Association have pressured the Environmental Protection Agency to adopt stricter air quality standards as new scientific evidence becomes available concerning the health risks posed by ozone and fine airborne particles. In his 1997 State of the Union Address, President Bill Clinton proposed a new American Heritage Rivers program in an effort to help communities revitalize their waterfronts and clean up pollution, although critics noted that the designation would not impose any new restrictions on river usage and thus the president's action was more symbolic than substantive.

On the international front, indigenous peoples continue to battle for control of their lands and natural resources. In a protest similar to that conducted by groups in Brazil and India, members of the Huxalt people of British Columbia joined with the Forest Action Network and Greenpeace in an attempt to stop a Canadian lumber company from clear-cutting part of the Great Coast Rainforest, one of the world's last great tracts of old-growth temperate rainforest.³

Although the 1992 UN conference was ballyhooed as a major step forward in developing a global regime for environmental protection, implementation of the accords reached at the Earth Summit has been made more difficult as political leaders face competing demands for limited financial resources.⁴ Although

sulfur dioxide emissions in Western Europe have decreased dramatically and reduced the threat posed by acid rain, damage to plant and animal life continues because transboundary agreements are not strict enough to protect fragile ecosystems. Similarly, the 1990 ban on commercial trade in ivory reduced poaching of elephants, but in 1997, several African nations were successful in their efforts to have the ban lifted, potentially increasing poaching elsewhere on the continent and reigniting the issue of endangered species protection.⁵ Most observers agree that current patterns of natural resource use are not sustainable, and there is a high likelihood that there will be a global decline in the nature and quality of human life.⁶

The continuing debate over domestic and global environmental protection is framed somewhat differently than it was when *Environmental Politics* was first published, but the purpose of the second edition remains largely the same: to provide a framework for understanding the nature of the environmental problems we face, to review the history and evolution of our efforts to remedy them, and to explore the prospects for effective public policymaking for environmental protection.

This book uses the policy process as a framework for reviewing the broad spectrum of environmental problems facing political leaders today. Although much of the focus is on the development of environmental policy in the United States, there is also considerable attention paid to the globalization of environmental politics. The chapters refer to various environmental regimes—international agreements that may take the form of conventions or protocols—that have been created in an attempt to solve many of the transboundary problems that the book identifies. References are also made to the international body responsible for most regime formation in environmental issues, the United Nations. After the United Nations Conference on the Human Environment, held in Stockholm in June 1972, the UN General Assembly established the UN Environment Programme (UNEP), which has become the lead agency for many of the regimes discussed throughout this book. Other authors have made much more significant contributions to the literature on the role of specific international organizations, regimes, and stakeholders.⁷

Many people interested in the future of our nation and our planet may have only a “headline news” awareness of environmental problems. This book tries to provide a more comprehensive, objective view of issues that have been mired in controversy for decades, avoiding the rhetoric that often distorts the environmental protection debate. In that sense, *Environmental Politics* is designed to serve as a complement to other books that can provide the reader with additional background on the nature of the public policy process, public administration, political history, natural resources, or environmental science.

To put environmental politics in context, it is important to understand how the recognition of environmental conditions as “problems” and attempts to devise solutions make up the policy process. Public policies are those developed by the government, with the policymaking process following a sequential pattern of activity as follows:

1. *Problem identification and agenda formation:* In this stage, policy issues are brought to the attention of public officials in a variety of ways. Some are uncovered by the media; others become prominent through crisis or scientific study. Organized groups may demonstrate or lobby officials to focus attention on the problem or may enlist celebrities to bring it to the government's attention on their behalf.
2. *Policy formulation:* After a problem is identified as worthy of government attention, policymakers must then develop proposed courses of action to solve it. Groups may participate in this stage as well, lobbying officials to choose one alternative or proposal over another.
3. *Policy adoption:* The acceptance of a particular policy is a highly politicized stage that then legitimizes the policy, often involving legislation or rule making. This is usually referred to as the authorization phase of policymaking.
4. *Policy implementation:* To put an agreed-upon policy into effect, this fourth stage involves conflict and struggle as the administrative machinery of government begins to turn. Affected groups must now turn their attention from the legislative arena to the bureaucracy, and, in some cases, the judicial branch to get the policy to work.
5. *Policy evaluation:* An ongoing process, this stage involves various determinations as to whether or not the policy is effective. This appraisal may be based on studies of program operations, systematic evaluation, or personal judgment, but whatever the method, the evaluation may start the policy process all over again.⁸

The elements of this model of policymaking are not separate, distinct events; policymaking is an organic, even messy process of defining and redefining problems, formulating and implementing policies and then reformulating them, and moving off and on the policy agenda. Political scientists have developed a number of models in addition to this process framework to explain political activity. These other models focus on institutional design, the role of elites, the role of organized interests, insights from game theory, the rational calculations of individuals, and the functioning of systems.⁹

No one model can provide a complete assessment of all the factors that affect policymaking, but the process model is a useful paradigm for exploring environmental policy and politics. It focuses attention on the interaction of policymaking institutions such as, in the case of the United States, Congress, the president and the executive branch, and the courts as they compete for influence in formulating and implementing policies. Focusing on process also provides a way to see how nongovernmental actors interact with the formal institutional powers. Ultimately, a process model permits us to understand how policies are made and how they can be made to more effectively address the problems at which they are aimed. Ecological science has made clear the stakes: we are experimenting on a global scale with the natural systems that make life possible. Some mistakes may be irreversible, at least in a human scale of time. There is no greater collective need than to improve our capacity to make good environmental policies.

Environmental Politics begins with an overview of environmental history in Chapter 1 to provide background on the early beginnings of concern about the environment, followed by an explanation of the participants in the environmental debate in Chapter 2. Chapter 3 provides an introduction to the process by which environmental policy is made at the federal, state, and local levels, identifying key agencies and nongovernmental organizations involved in legislation, regime formation, and rule making. Chapters 4 through 8 introduce the essential issues related to the protection of land, waste management, energy, water, air quality, and environmental health. Although many of the problems associated with environmental protection are overlapping and interrelated, these sections bring the reader up to date on the most critical aspects of political decision making in each area. Common to each chapter is a statement of the environmental protection problem, an analysis of the efforts made to solve the problem, an assessment of the most critical issues, and an evaluation of what progress has been made. Chapters 9 through 11 shift in emphasis to those problems with a more global impact, such as transboundary pollution, global climate change, and the human population explosion. Lastly, Chapter 12 reflects on the problems and solutions we now face, and identifies emerging issues as we enter the new millennium.

Any one of these topics merits a complete book-length treatment of its own, and the end of each chapter includes suggestions for further reading. It is hoped that this "taste" of key environmental issues will lead the reader to develop an appetite for more comprehensive studies and research. But taken as a whole, the goal is that all readers—whether students, citizen activists, or government officials—emerge with a better understanding of the totality and scope of environmental politics.

ACKNOWLEDGMENTS

The first edition of *Environmental Politics* was initially written for my own use as an instructor, and the text benefited from the reviews and classroom use by colleagues across the country who shared their reactions on how it might be improved. There are no better critics than students, such as those who enrolled in my own courses, who were unabashed in their commentary. The preparation of the second edition of this book could not have been accomplished without the efforts of Gary Bryner, who agreed to assist in completing this project. He provided a valuable partnership and his own engaging style of writing throughout the text, and I am greatly indebted for his help. We wish also to thank the following individuals who reviewed portions of the manuscript in preparation: Phil Brick, Whitman College; W. Douglas Costain, University of Colorado, Boulder; Robert J. Duffy, Rider University; David H. Folz, University of Tennessee, Knoxville; Carolyn Long, Washington State University, Vancouver; Richard Kranzdorf, California Polytechnic State University; JoAnne Myers, Marist College; Lisa

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JACQUELINE VAUGHN SWITZER

NOTES

1. See, for example, Murray Feshbach, *Ecological Disaster: Cleaning Up the Hidden Legacy of the Soviet Regime* (New York: Twentieth Century Fund Press, 1995).

2. See Michael Grubb, et al. *The Earth Summit Agreements: A Guide and Assessment* (London: Earthscan, 1993); Hal Kane and Linda Starke, *Time for Change: A New Approach to Environment and Development* (Washington, D.C.: Island Press, 1992); Peter M. Haas, Marc A. Levy, and Edward A. Parson, "Appraising the Earth Summit," *Environment*, 34, no. 8 (October 1992): 7–11, 26–33; and *The Global Partnership for Environment and Development: A Guide to Agenda 21* (92-1-100481-0) and *Draft Agenda* (91-1-100482-9) (New York: United Nations, 1991).

3. April Bowling, "Canadian Native Peoples Jailed in a Logging Dispute," *World Watch*, 9, no. 6 (November–December 1996): 7.

4. See Hilary F. French, *Partnership for the Planet: An Environmental Agenda for the United Nations* (Washington, D.C.: Worldwatch Institute, 1995).

5. For an analysis of accomplishments and remaining challenges for international environmental governance, see Hilary F. French, *After the Earth Summit: The Future of Environmental Governance* (Washington, D.C.: Worldwatch Institute, 1992).

6. One of the more optimistic views of the possibility of a sustainable future is provided by Donella H. Meadows, Dennis L. Meadows, and Jorgen Randers, *Beyond the Limits: Confronting Global Collapse, Envisioning a Sustainable Future* (Post Mills, VT: Chelsea Green Publishing, 1992). Sustainability as it relates to one of the world's most pressing problems—hunger—is addressed by Lester R. Brown in *Who Will Feed China?* (New York: W.W. Norton, 1995).

7. See, for example, Lamont C. Hempel, *Environmental Governance: The Global Challenge* (Washington, D.C.: Island Press, 1996); Gareth Porter and Janet Welsh Brown, *Global Environmental Politics* 2d ed. (Boulder, CO: Westview Press, 1996); Lawrence E. Susskind, *Environmental Diplomacy: Negotiating More Effective Global Agreements* (New York: Oxford University Press, 1994); Mario F. Bognanno and Kathryn J. Ready, eds., *The North American Free Trade Agreement: Labor, Industry, and Government Perspectives* (Westport, CT: Praeger, 1993); and Peter M. Haas, Robert O. Keohane, and Marc A. Levy, eds., *Institutions for the Earth: Sources of Effective International Environmental Protection* (Cambridge, MA: MIT Press, 1993).

8. Adapted from James E. Anderson, *Public Policymaking: An Introduction*, 2d ed. (Boston, MA: Houghton Mifflin, 1994).

9. For a helpful discussion of models of policymaking, see Thomas R. Dye, *Understanding Public Policy* (Englewood Cliffs, NJ: Prentice Hall, 1992).

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CHAPTER 1

A Historical Framework for Environmental Protection

Millions Join Earth Day Observances

—*New York Times* headline, April 23, 1970

Millions Join Battle for a Beloved Planet

—*New York Times* headline, April 23, 1990

Most contemporary observers regard Earth Day, 1970, as the peak of the American environmental movement, and the events of April 22 were indeed historic. An estimated twenty million Americans participated: New York Mayor John Lindsay closed Fifth Avenue to traffic during the event, and a massive rally was held in Union Square. Speeches and songs were heard at the Washington Monument, and virtually every college town, from Berkeley to Madison, held teach-ins and demonstrations. Philadelphia held a week-long observance, with symposia by environmental leaders and scientists, including Maine's Senator Edmund Muskie, author Paul Ehrlich, and consumer activist Ralph Nader. The event was highlighted by the appearance of the cast of the Broadway musical *Hair*. In San Francisco, the day was marked by symbolic protests, as a group calling itself Environmental Vigilantes dumped oil into the reflecting pool in front of Standard Oil. In Tacoma, Washington, nearly a hundred high school students rode down the freeway on horseback urging drivers to give up their automobiles.

A review of American history, however, shows that concern about the environment surfaced in the nation's infancy and has been a recurrent theme throughout the past three hundred years. One interesting aspect of that history is that some individuals or events appear to have had a momentary influence on policy development and then virtually disappeared from our historical consciousness. For example, Gifford Pinchot, an advisor to Theodore Roosevelt and leader of the conservation movement during the early twentieth century, had a tremendous impact on policymaking during that period, but his name is unknown to most contemporary members of the environmental movement. There is no Pinchot National Park or building in Washington, nor is the date of his birth celebrated. Like a shooting star, his role was transitory and ephemeral. Similarly, although women's organizations were responsible for bringing urban environmental issues such as

solid waste and water quality to the policy agenda, that function ended when it was replaced by the struggle for suffrage.

Equally perplexing are the effects of a number of environmental disasters and crises that made headlines. Some, like the thirty-million-gallon oil spill caused by the sinking of the supertanker *Torrey Canyon* off the coast of England in 1967, have been upstaged by more recent events such as the oil spill resulting from the grounding of the *Exxon Valdez* in Alaska. But the radiation leak at the Soviet Union's Chernobyl plant in April 1986 has become synonymous with concerns about nuclear power and is likely to serve as a catalyst for international protests for years to come.

The development of an environmental policy agenda can be viewed in two ways. First, it is a history of ideas, a philosophical framework about our relationship to nature and the world. This history is punctuated with names ranging from Thomas Malthus and Charles Darwin to Karl Marx and Francis Bacon, along with modern commentary from Barry Commoner, Garrett Hardin, and Paul Ehrlich.¹ Second, it is a factual history, made up of events, individuals, and conditions. This chapter focuses on factual history to identify five distinct periods in the development of policies to protect the environment.

GERMINATION OF AN IDEA: FROM THE COLONIAL PERIOD TO 1900

Even before the states were united there was an awareness of the need to limit the use of the new land's natural resources. As early as 1626, the members of the Plymouth Colony passed ordinances regulating the cutting and sale of timber on colony lands. Other colonial leaders recognized the importance of preserving the region's resources, prohibiting the intentional setting of forest fires, and placing limits on deer hunting. In 1681, William Penn, proprietor of Pennsylvania, decreed that, for every five acres of land cleared, one must be left as virgin forest.² In 1691, Massachusetts Bay leaders began to set aside "forest reservations"—large stands of pines valued for their use as ships' masts. Forest preservation became an entrenched principle of colonial land management as early as the seventeenth century.³

During the eighteenth century, the nation was consumed with the building of a new government, but individual states made efforts to preserve the resources within their boundaries. Massachusetts in 1710 began to protect coastal waterfowl and in 1718 banned the hunting of deer for four years. Other states, such as Connecticut (1739) and New York (1772), also passed laws to protect game.⁴ Political leaders at the beginning of the nineteenth century expressed interest in studying soil erosion; both Washington and Jefferson wrote of their concerns about the lands at their estates. With the opening of the Erie Canal in 1825, bringing pine forests within the reach of eastern markets, states were forced to confront the issue of timber poaching—one of the first environmental crimes.⁵

By midcentury, the public began to be interested in preserving natural resources. George Perkins Marsh's 1864 book, *Man and Nature*, captured attention with its call for protection of songbirds and the use of plantings to prevent soil erosion.⁶ In 1866, German scientist and philosopher Ernst Haeckel coined the term *ecology*, and the subject became a thriving research discipline.⁷ Still, there was no philosophy of protection that dominated either American or European thought. Studies of the popular literature of the 1870s led some historians to conclude that the environmental movement came alive with the advent of sportsmen's magazines. In October 1871, *The American Sportsman*, a monthly newspaper, marked a watershed in environmental history when it became the first publication to interrelate the subjects of hunting, fishing, natural history, and conservation. Two years later, *Forest and Stream* advocated the protection of watersheds, scientific management of forests, uniform game laws, and abatement of water pollution.⁸ Diminishing supplies of fish in the Connecticut River resulted in the development of the fish culture industry and the formation in 1870 of the American Fisheries Society, the first biological society to research a diminishing natural resource. A year later the U.S. Fish Commission was created, the first federal agency responsible for the conservation of a specific natural resource.⁹

Adventure and exploration enhanced the public's interest in the environment throughout the nineteenth century. Lewis and Clark's transcontinental journeys beginning in 1804, and John Wesley Powell's descent down the Colorado River in 1869, increased Americans' awareness of the undiscovered beauty of the frontier.¹⁰

Tremendous urban population growth between 1870 and the turn of the century led to new environmental problems, including contamination of drinking water sources and garbage and sewage dumping. The problems were most evident in the cities of the Northeast and Midwest, where the population increases were the most rapid. Although New York remained the nation's largest city, nearly tripling its population over the thirty-year period, Chicago had the biggest percentage increase, nearly sixfold. Philadelphia, St. Louis, and Boston nearly doubled the sizes of their populations. Although industrial development did not reach the West Coast's cities as quickly, San Francisco, which served as the major shipping port, doubled its population between 1870 and 1890. The biggest increase was in Los Angeles, which grew to over twenty times its size from 1870 to 1900. American cities became centers of industry, and industry, with its accompanying population growth, meant pollution. By 1880, New York had 287 foundries and machine shops and 125 steam engines, bone mills, refineries, and tanneries. By the turn of the century, Pittsburgh had hundreds of iron and steel plants. Chicago's stockyards, railroads, and port traffic filled the city with odors and thick, black smoke.¹¹

Pollution problems caused by rapid industrial growth resulted in numerous calls for reform, and women became key leaders in cleaning up the urban environment. Upper-class women with extended periods of leisure time, believing "the housekeeping of a great city is women's work," formed civic organizations dedicated to monitoring pollution and finding solutions to garbage and sanita-

tion problems. The first of these groups, the Ladies' Health Protective Association, was founded in 1884 with the goal of keeping New York's streets free of garbage. The Civic Club of Philadelphia, formed in 1894, began by placing trash receptacles at key intersections. Other groups were organized in Boston (the Women's Municipal League) and St. Louis (Women's Organization for Smoke Abatement).¹²

The nation's environmental awareness was enhanced by the actions of specific individuals. George Catlin first proposed the idea of a national park in 1832.¹³ Henry David Thoreau spoke poetically in 1858 of his return to a natural world.¹⁴ Frederick Law Olmstead, the "father of Central Park," was one of the first professional landscape architects in the United States. In 1864, he visited Yosemite and a year later received an appointment as a commissioner to help oversee management of the valley, making what were, at the time, novel suggestions for its preservation.¹⁵ Olmstead's friend George E. Waring built the first separate sewer system in Lenox, Massachusetts, in 1876 and was a pioneer in the study of sanitary engineering. Waring, known as "the apostle of cleanliness," crusaded about the impact of garbage on public health and was responsible for the beginnings of contemporary solid waste science.¹⁶

The concept of preserving natural areas came from a variety of sources. In 1870, a group of explorers recommended that a portion of the upper Yellowstone River region be set aside to protect its geothermal features, wildlife, forests, and unique scenery. The result, the establishment of Yellowstone National Park in 1872, was the beginning of a pattern of preserving large undisturbed ecosystems. The public endorsed the idea, and Congress responded by creating Sequoia, Kings Canyon, and Yosemite National Parks in 1890, followed by Mount Rainier National Park in 1899. Interest in trees and forests was an important element of preservationism, symbolized by the proclamation of the first Arbor Day on April 10, 1872. The event was the culmination of the work of J. Sterling Morton, editor of Nebraska's first newspaper, and Robert W. Furia, a prominent nursery owner who later became governor. The two men convinced the Nebraska state legislature to commemorate the day with tree plantings to make Nebraska "mentally and morally the best agricultural state in the Union." More than one million trees were planted the first year, and Nebraska became known as the "Tree Planter's State" in 1895. With the Forest Reserve Act of 1891, the U.S. Congress set aside forest lands for preservation for the first time. Several years later President Grover Cleveland ordered lands to be protected because few states were willing to protect their forests from logging.

The founding of the Sierra Club by John Muir in 1892 marked the beginning of interest in a more broadly based environmental organization.¹⁷ Although the early organizations have been called "pitifully weak" in membership and finances, these early groups had a strong sense of determination. Most groups debated the scientific management of resources rather than organizing to protect resources. But the idea of preserving land and natural resources was germinating within American society.¹⁸