

# **Environmental Management as a Social and Political Process.**

## **Part III: Environmental Politics**

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# Outline

- **The Political Sphere**
- **Political Regimes**
- **The Policy Cycle**
- **Environmental Policy: Historical Perspectives**
- **Actors of Environmental Policy**
- **Instruments of Environmental Policy**
- **International Aspects**

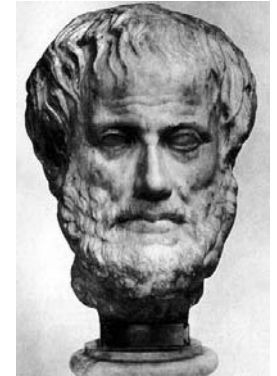
# The Political Sphere

- **Narrow** sense: the state (government, public administration, political parties...).
- **Wide** sense: social actors (individual, family, firm...)
- **Medium** (adequate) sense: **collective** issues/problems of **complex** social systems require political solutions (collectively **binding** decisions).
- **Societies with no/low politics:**
  - Social differences small
  - Division of labor low (high similarity of knowledge & skills)
  - Small population/high interaction density
  - Few contacts to other societies
  - Low degree of mastering nature
  - Similar worldviews and values

# Key Dimensions of the Political Sphere

	<b>Politics</b>	<b>Policy</b>	<b>Polity</b>
<i>Systemic Focus</i>	Process	Outcome	Order
<i>Core Issue</i>	Interests & Power	Problem & Solution	Structure & Agency
<i>Main Entities</i>	Actors, Resources	Goals, Programs, Instruments	Institutions, Rules, Norms
<i>Typical Problem</i>	How to gain (keep) power and support (► governance by compromise)	How to realize goals/solve problems (► governance by objectices)	How to achieve a just political system (► governance by institution building)

# Typology of Political Constitutions According to Aristotle



Main Orientation of  
Government Action

Government by...

Private Interests

Public Interests  
(Common Good)

one

Tyranny

Monarchy

few

Oligarchy

Aristocracy

many

Democracy

Republic

	Private Interests	Public Interests (Common Good)
one	Tyranny	Monarchy
few	Oligarchy	Aristocracy
many	Democracy	Republic

# Main Aspects of a Polity

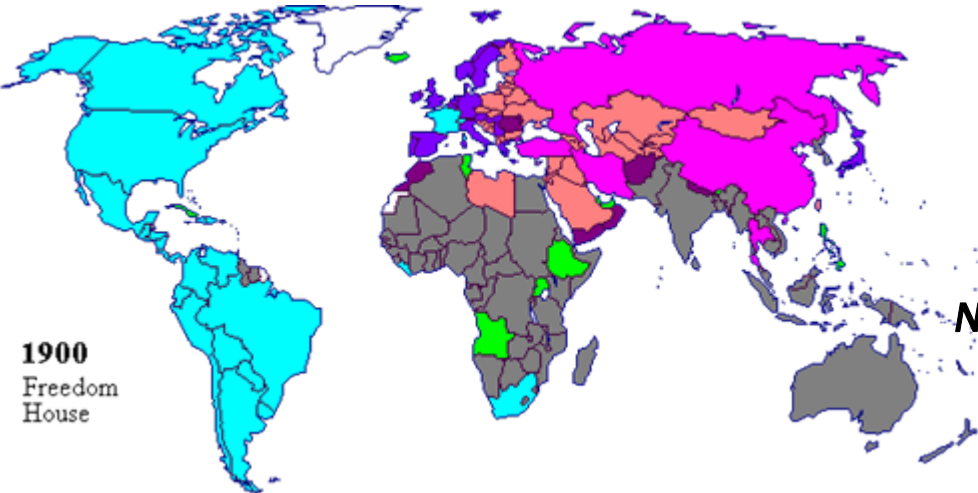
- Who/what is the source of governmental power?
  - Tradition
  - God
  - Monarchs/Feudals (Privilege, Honor)
  - Functional Elites (Merit)
  - The People
- How is power shared?
  - Not at all
  - Pragmatically/Tradition
  - Systematically/Reason (Locke, Montesquieu)
    - Legislation
    - Executive (government)
    - Jurisdiction

<div>Attributes</div> <div>Regime Types</div>	Number & Type of actors allowed access to power	Methods of access to power	Rules for making publicly binding decisions
Democratic	Many actors: leaders of multiple political parties	regularly held competitive elections with popular participation	system of checks and balances
Authoritarian	Few actors: leaders of military and business elites	decisions within the military	bounded arbitrariness
Totalitarian	One actor: leaders of single party	decisions within the single party	unbounded arbitrariness

# Key Aspects of Democracy

- **People's sovereignty**
  - Exclusions (e.g. non-nationals, non-adults, women, under-class...)
  - Direct, indirect (representation)
  - Presidential or parliamentary systems
- **Majority Rule**
  - Simple, more
  - Problem: 'Tyranny of the majority' (Tocqueville)
- **Minority Rights**
  - Public Debate (► Habermas 1962)
  - Limited power, periodical elections
- **Rule of Law**
  - General regulation of governmental action, publicity, debate
  - Division of power (legislation, execution, jurisdiction)
  - Constitution: binding laws for execution of power (► polity)
- **Independent Jurisdiction**
  - In most cases: Supreme Courts (government control accessible for people)





**Monarchies**

Constitutional

Traditional

Absolute

**Republics**

Full Democracy

Restricted  
Democracy

Authoritarian

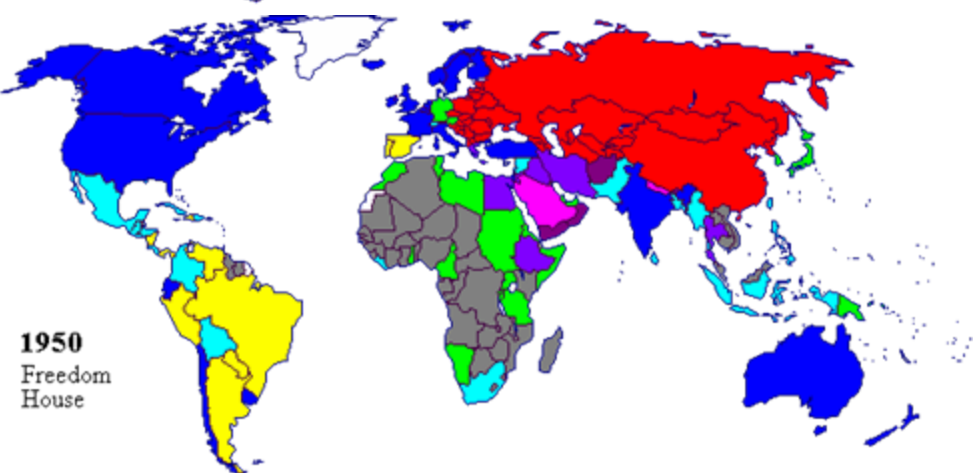
Totalitarian

**Non-Sovereign**

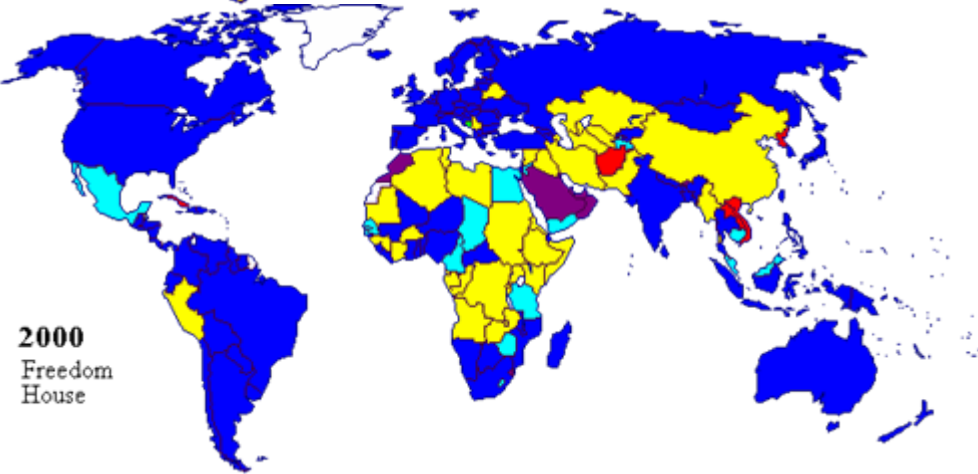
Protectorate

Colony

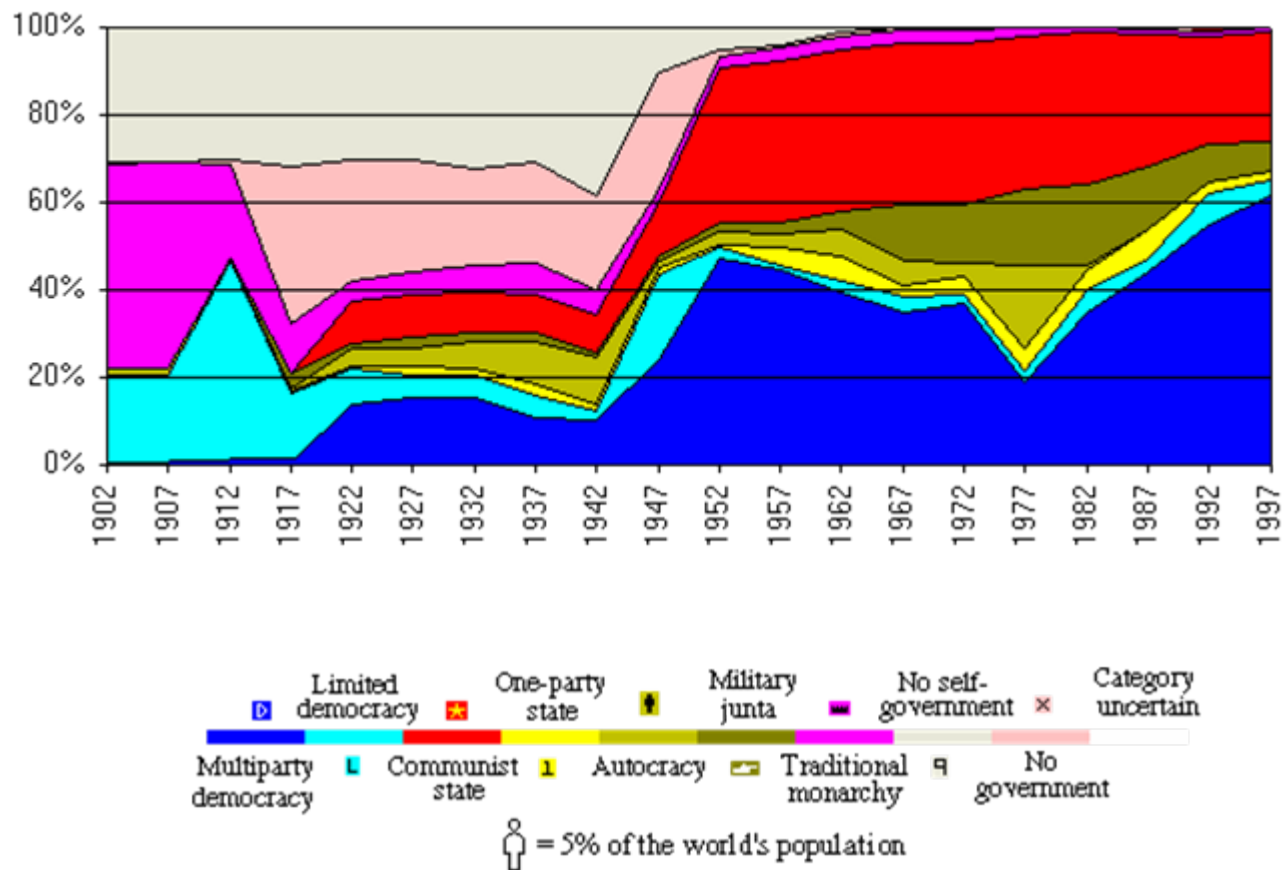
Empire



- In **1900**, many parts of the world have been non-sovereign regimes (e.g. colonies). Europe was mainly governed by constitutional monarchies; America by restricted democracies.
- In **1950**, large parts of Asia and Eastern Europe have become communist (totalitarian) regimes. Full democracies have increased, as well as authoritarian regimes. Africa remains dependent.
- By **2000**, full democracies have made substantial progress. Decolonization has taken place. Totalitarian regimes almost vanished, but authoritarian regimes remain numerous.



# The percentage of the world's population under various political systems



# Environmental Policy

- **Pre-History** (until late 20<sup>th</sup> Century) (a diffuse policy area)
  - Medieval forest regulations (regional)
  - Early industry regulations (local)
  - Landscape protection/nature conservation (German law: 1935)
- **History** (a policy area of its own)
  - USA: 1960s
  - Germany/Europe: 1960s/1970s
- Still an evolving area (mainly due to new actors, instruments and problems (esp. global environmental change))

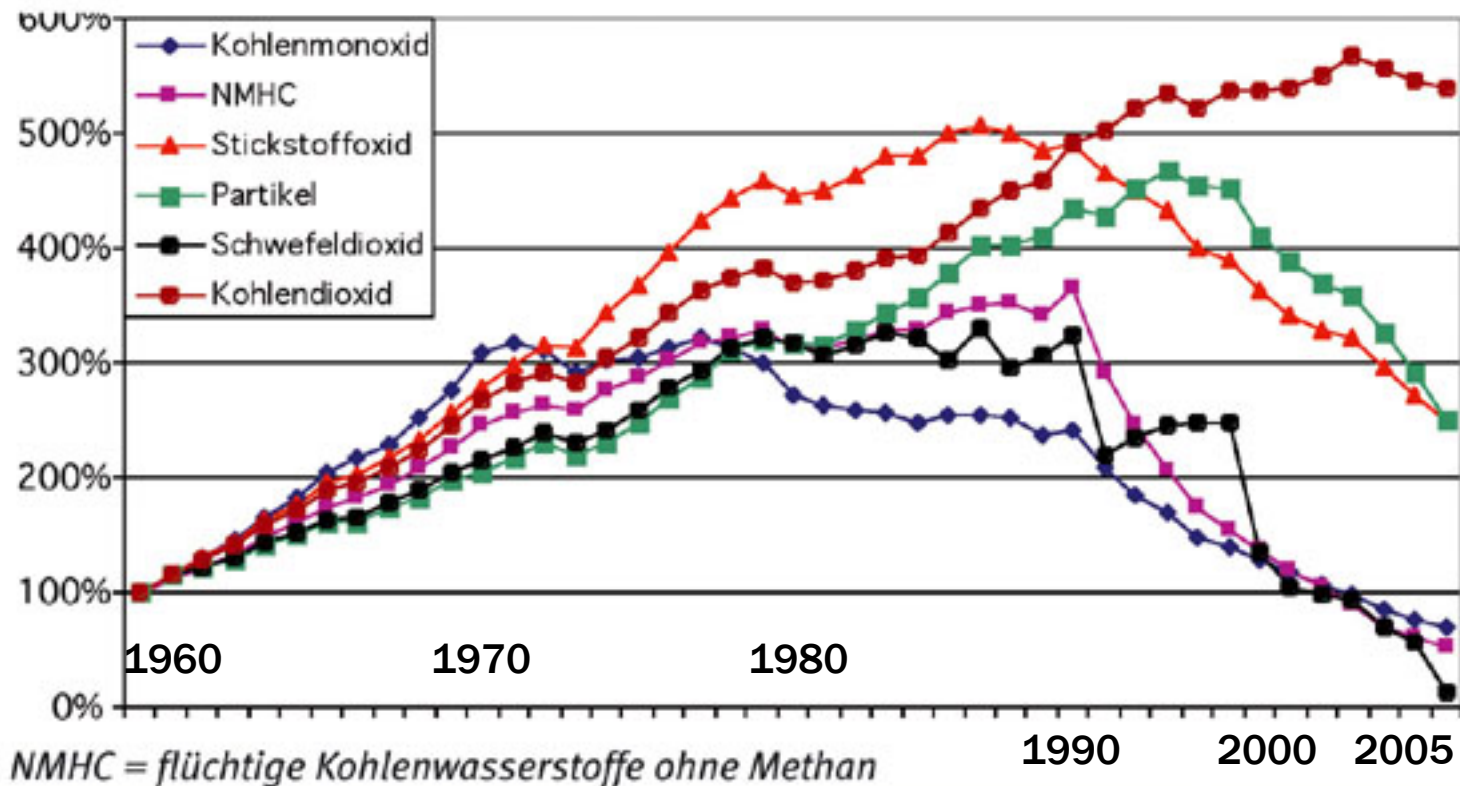
# USA: NEPA

- The National Environmental Policy Act (NEPA) is a United States environmental law that was signed into law on January 1, 1970 by U.S. President **Richard Nixon**. (Although enacted on January 1, 1970, its "short title" is "National Environmental Policy Act of 1969.")
- "To declare a national policy which will encourage productive and enjoyable **harmony** between man and his environment; to promote efforts which will prevent or eliminate **damage** to the environment and biosphere and stimulate the **health and welfare of man**; to enrich the **understanding** of the ecological systems and natural resources important to the Nation..." (Preamble)
- The law applies only to federal agencies and the programs they fund. Essentially it requires that, prior to taking any "major" or "significant" action, the agency must consider the **environmental impacts** of that action.
- NEPA sought to put environmental concerns on par with economic motivations and technological feasibility when making a decision that could affect the environment. Hydrological/geological, biological/ecological, social and health are among the consequences considered.

# Some Highlights of Environmental Policy in Germany

- **1971: Environmental Action Program**  
(Social-democrats/liberals)
- **1972: Law on Waste Disposal**
- **1972: Stockholm Conference on the Environment**
- **1974: Law on Air Protection (BlmsSchG)**
- **1976: Law on Nature Conservation (BNschG)**
- **1976: Water Protection Law, Wastewater Fee**
- **1980: Chemical Substances Regulation**
- **1991: Feed-In Law**
- **1992: UNCED Rio**
- **1994: Recycling Law**
- **1998: Soil Protection**
- **2000: Renewable Energy Law**

## Entwicklung der Abgasemissionen aus PKW und LKW in Deutschland\* (im Vergleich zum Emissionsstand 1960)



\* Ost und West, auch für die Zeit vor 1990.

Rat von Sachverständigen für Umweltfragen, 2005/Datenquelle: Umweltbundesamt.

# Instruments

- **Command and Control**
  - Emission levels
  - Prohibition of activities or materials
  - Legal technology standards
  - Quality and performance standards
- **Levies**
  - Levies independent of equivalent services
  - Fees as equivalents
  - Taxes (non-affectation principle; exceptions, e.g. Eco-tax)
- **Certificates**
  - ETS
  - Total emissions, participants, initial distribution (auctioning, grandfathering, giving away for free..)
- **Subsidies & Refunding Schemes**
  - Tax money for politically desirable developments (problem of foresight, lock-in, market distraction)
  - Feed-in tariffs
- **Liabilities**
  - Re-configuration of ownership
  - Insurances
- **Self-commitments**
  - Low cost, but risky (► German car industry and climate protection)
- **Information/Communication**
  - Education
  - Labels
  - Auditing

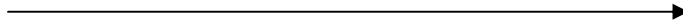
State



Industry

*Late 1960s/early 1970s*

State



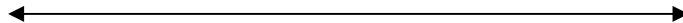
Industry



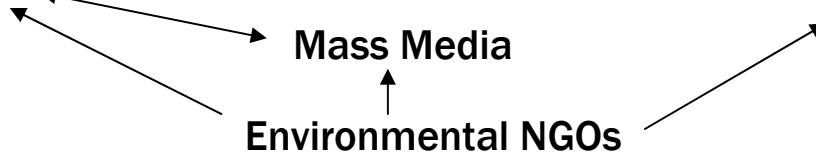
Environmental NGOs

*1970s/early 1980s*

State



Industry



Mass Media

Environmental NGOs

*1980s*

State



Science

Industry

Mass Media

International  
System

Consumers & Citizens

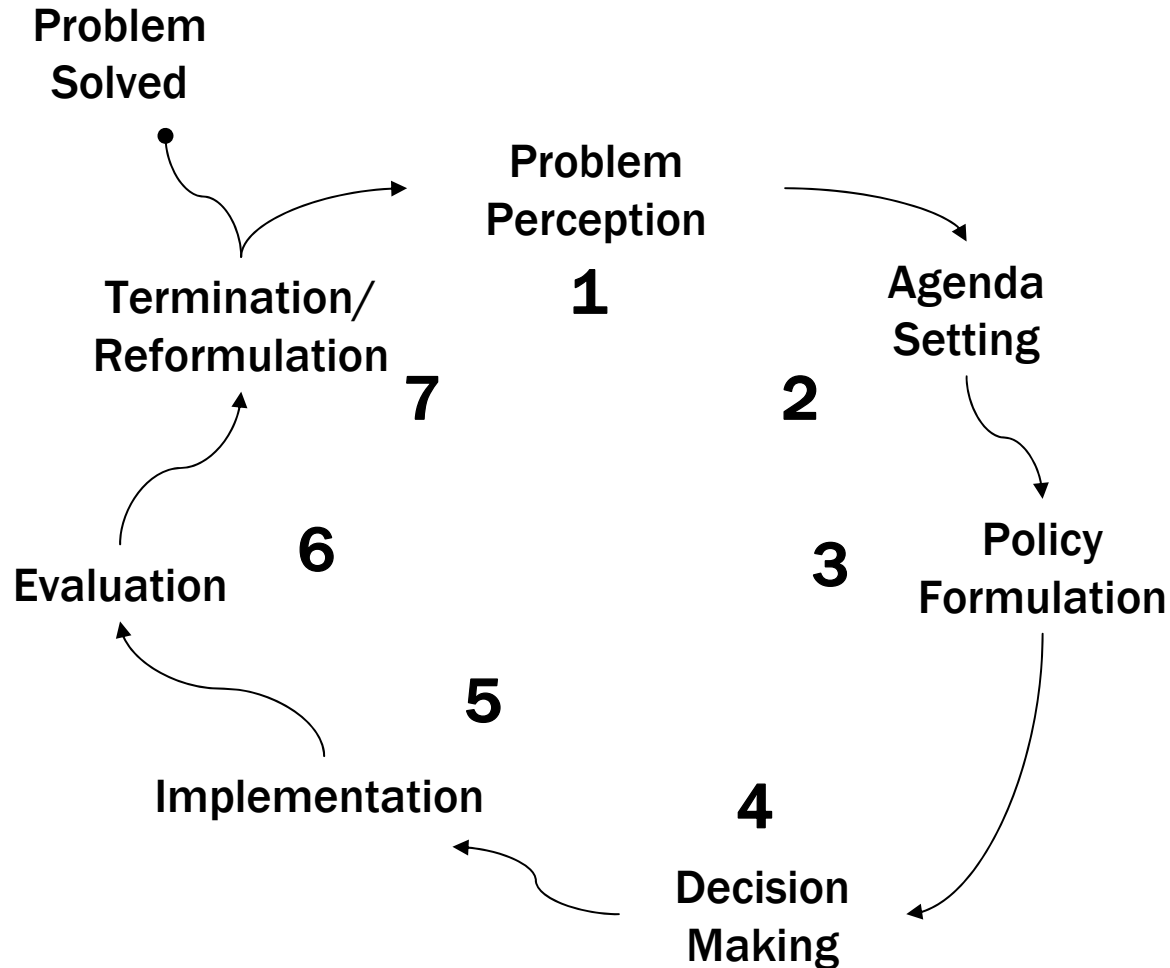
Green Industry

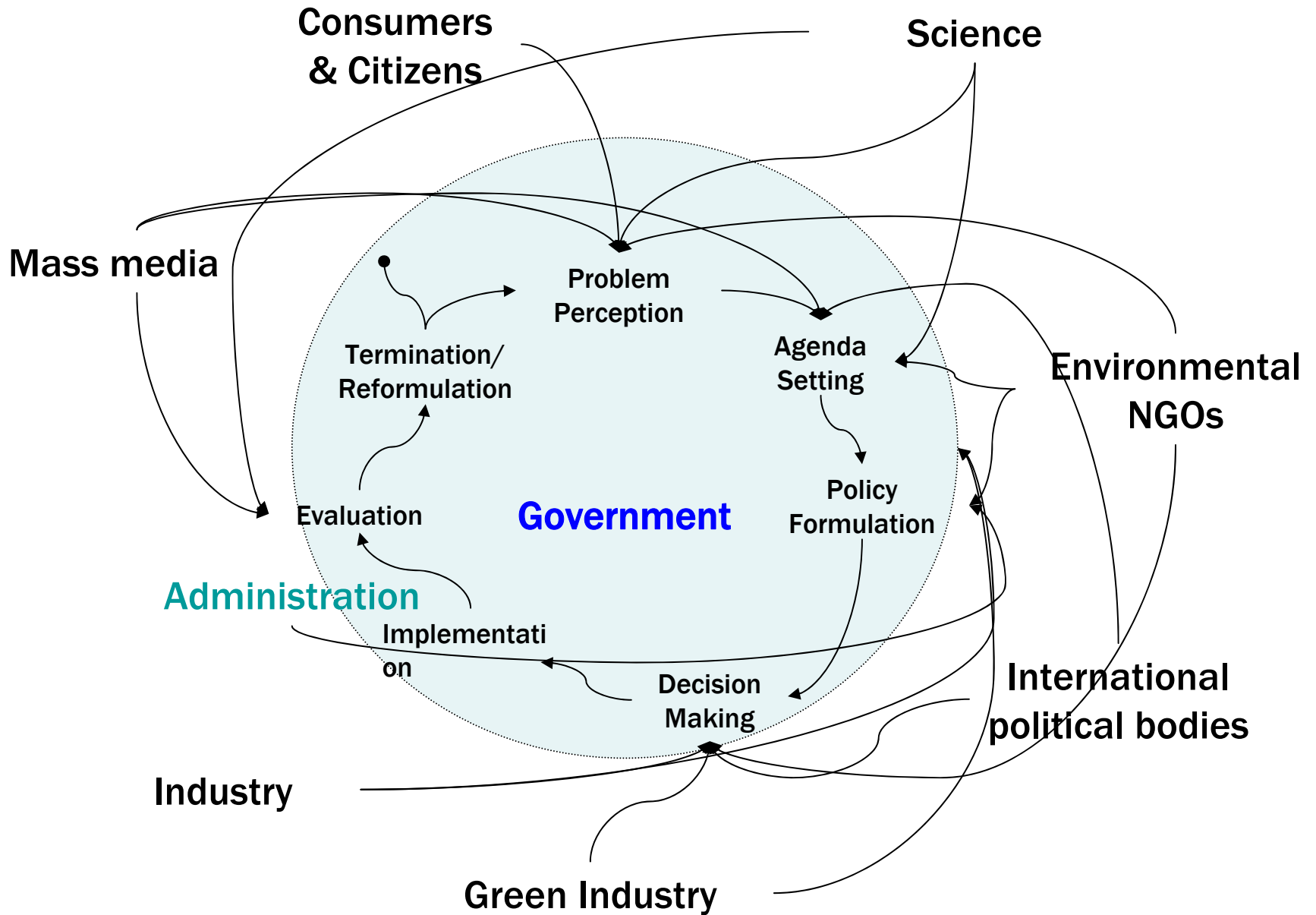
(International)  
Environmental NGOs

*Since 1990s*



# The Policy Cycle





# Stage 1: Problem Perception

- Political problems are **collectively perceived** problems. They need a majority (or significant minorities) to become visible and pertinent.
- Many ,problems‘ are around, but **few** are selected by the political system.
- Environmental problems sometimes are obvious (e.g. heavy air or water pollution), but very often they are not (e.g. long-term problems, distant or intrinsically ,invisible‘ problems). They need **scientific perception**.
- Improving the chances for political perception:
  - (Political) Culture
  - Social Movements
  - Media attention
  - Visible and powerfully communicated scientific consensus (,epistemic communities‘ ► Haas) (e.g. IPCC 4AR)

# Stage 2: Agenda Setting

- The agenda is the starting phase of decision making by concrete political bodies.
- State driven policy innovation (Sweden, USA); state driven policy diffusion (Germany); society driven policy innovation (may be USA); society driven policy diffusion (Chile)
- Improving the chances for issues to become part of the political agenda:
  - Political dimension high and clear (many people affected, causal pattern and/or polluter clear); fit to party ideologies/programs; career opportunity for politicians
  - Media attention high
  - Power structure (how powerful are polluters, how close to the state, how economically important are stakes)
  - Solutions at hand (either technologically in the social system or politically in the political system)

# Stage 3: Policy Formulation

- A core phase of policy-making: specify (formulate) concrete measures (e.g. laws) in the political process (laws, instruments, responsibilities, budgets...)
- Politics (compromise, coalition building...)
- Determine the degree of symbolic policy
- Possibly end up by non-decisions
- Improving the chances for issues to become part of the policy formation process:
  - Political skills
  - Juridical competences
  - Media attention
  - NGOs: formulate concrete policy measures
  - Piggy backing; package deals
  - Policy diffusion

# Stage 4: Decision Making

- A second core phase of the political process.
- Legally binding decisions about particular alternatives, based upon the results of the previous phase.
- Politics and Polity. Interest groups can dominate a policy area (capture), administration may control interest groups, pluralism
- Improving the chances for issues in decision making:
  - Political and juridical skills of the advocates
  - Scientific expertise
  - Political and juridical skills of the interest groups
  - Policy (politics) diffusion

# Law Making Process in Germany

## 1. Administration and Government

- Due to media, party, parliamentary etc. input a minister asks his administration to formulate a law proposal
- „Referentenentwurf“ (administration draft) (incl. scientific and juridical expertise)
- Interest groups comment
- Reformulation of „Referentenentwurf“; discussion with other ministries
- Input to cabinet; discussion
- If yes: „Regierungsentwurf“ (government draft); to Bundesrat for positioning; to parliament for debate

## 2. Parliament (Bundestag)

- Debate (1. Lesung)
- Debate in Parliamentary Committees (Ausschüsse); Public Hearings (interest groups comment; inner-party and coalition debates)
- New draft by Committees
- Parliamentary debate (2. Lesung); decision (majority); to Bundesrat

## 3. Second Chamber (Bundesrat)

- If Chamber has to agree: yes or no; if no: compromise solution (Vermittlungsausschuß)
- If Chamber does not have to agree: yes or no; if no: parliament has to vote again (depends on degree)

## 4. President

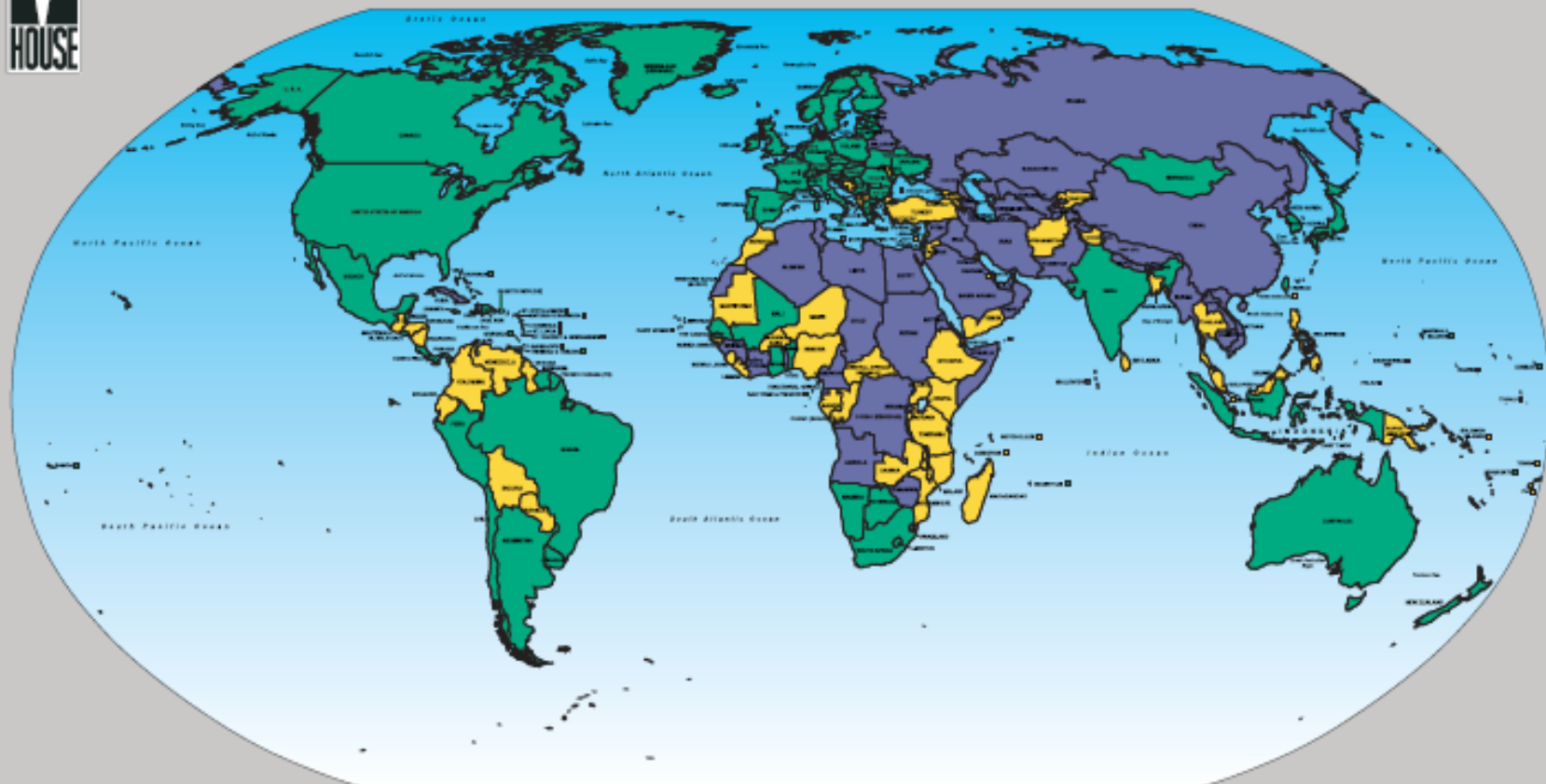
- Signs (mostly); Public announcement; enforced
- Does not sign (very rare): new debate and decision

# **Stage 5: Implementation**

- **The sphere of the administration.**
- **Policy learning:**
  - Other areas
  - Other administrative levels
  - Other countries
  - Stakeholders
- **Possible conflicts with political leadership**



# MAP OF FREEDOM 2006



The Map of Freedom reflects the findings of Freedom House's 2006 survey *Freedom in the World*. *Freedom in the World* is an annual biannual survey that measures the gains and losses for political rights and civil liberties in 195 countries and 24 island and disputed territories. For each country, the survey provides a country report on political and human rights developments, along with ratings of political rights and civil liberties. Based on these ratings, countries are divided into three categories: Free, Partly Free, and Not Free, as reflected in the Map of Freedom.

In free countries, citizens enjoy a high degree of political and civil liberties. Partly free countries are characterized by some restrictions on political rights and civil liberties, often in a context of corruption, weakness of law, ethnic strife, or civil war. In Not Free countries, the political process is tightly controlled and basic freedoms are denied.

In 2006, there were 2.37 billion people living in free societies, representing 46 percent of the world's population. There were 1.16 billion people living in Partly free societies, representing 19 percent of the world's population. There were 2.33 billion people living in Not free societies, representing 35 percent of the world's population.

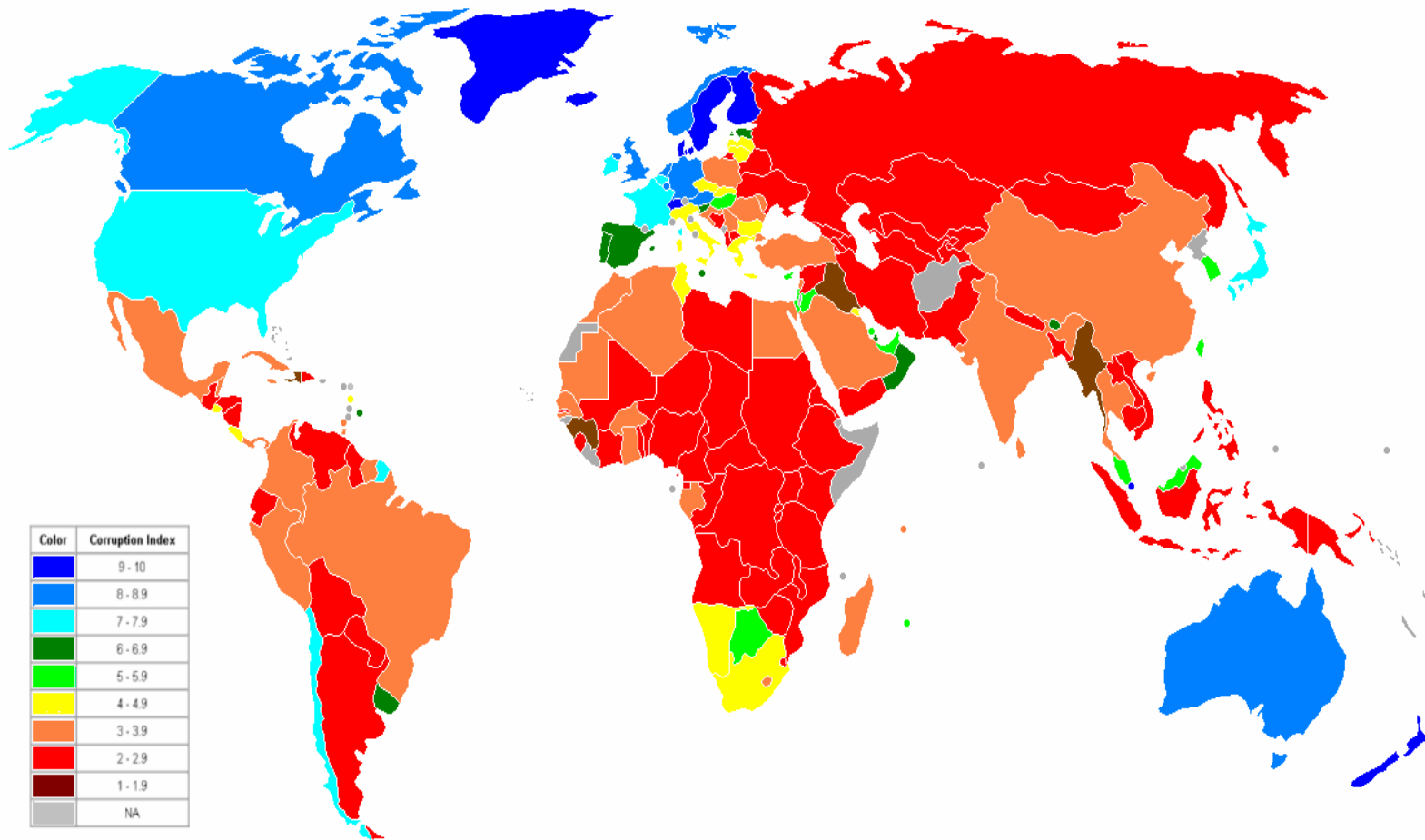
**Freedom House**  
 110 Wall Street, 16th Floor, New York, NY 10038  
 Phone (212) 512-4000 Fax (212) 512-4415  
 1100 Connecticut Avenue, N.W. 4th Floor, Washington, D.C. 20036  
 Phone (202) 747-7910 Fax (202) 239-2300

[www.freedomhouse.org](http://www.freedomhouse.org)

## Global Trends in Freedom

Year Under Review	1995	2000	2005
Free	76	81	81
Partly Free	42	58	58
Not Free	35	48	47
Total	153	187	186

# Policy Failures: Corruption



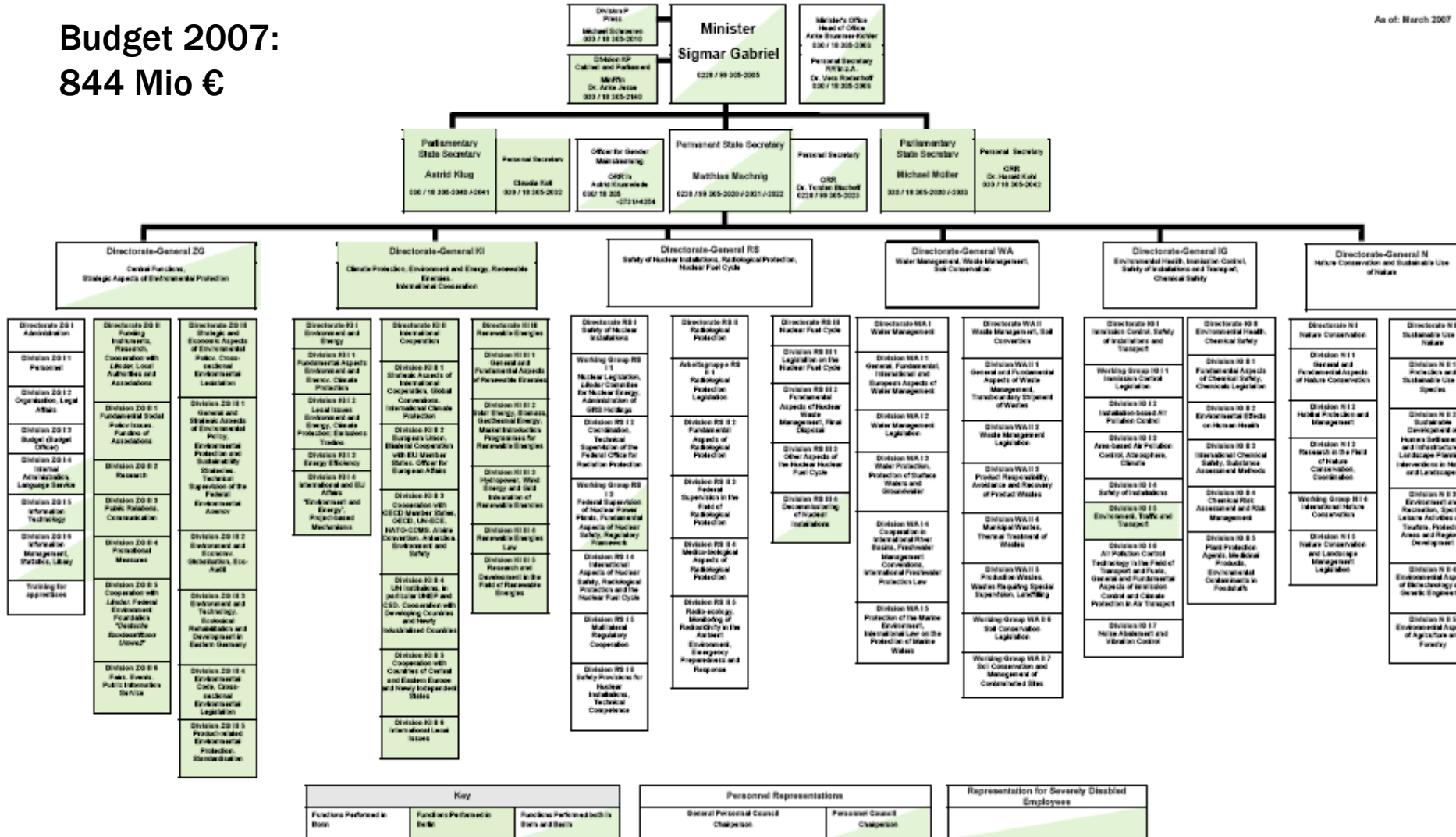
CPI 2006

- The Transparency International (TI) Corruption Perceptions Index (CPI) ranks countries in terms of the degree to which corruption is perceived to exist among public officials and politicians.
- Corruption is defined as the abuse of public office for private gain (e.g. bribery, kickbacks in procurement, embezzlement of public funds).

# Germany

**Budget 2007:  
844 Mio €**

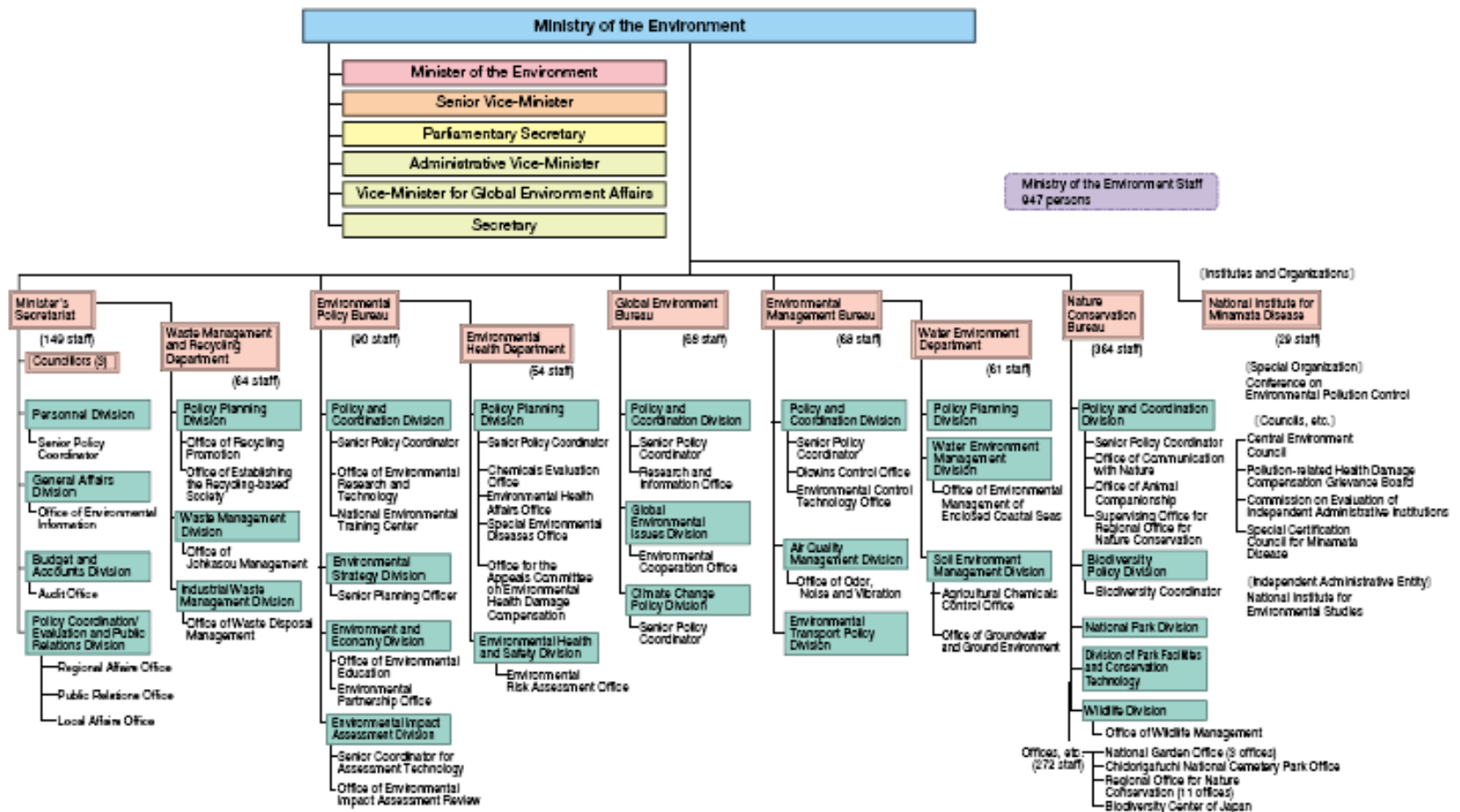
As of: March 2007



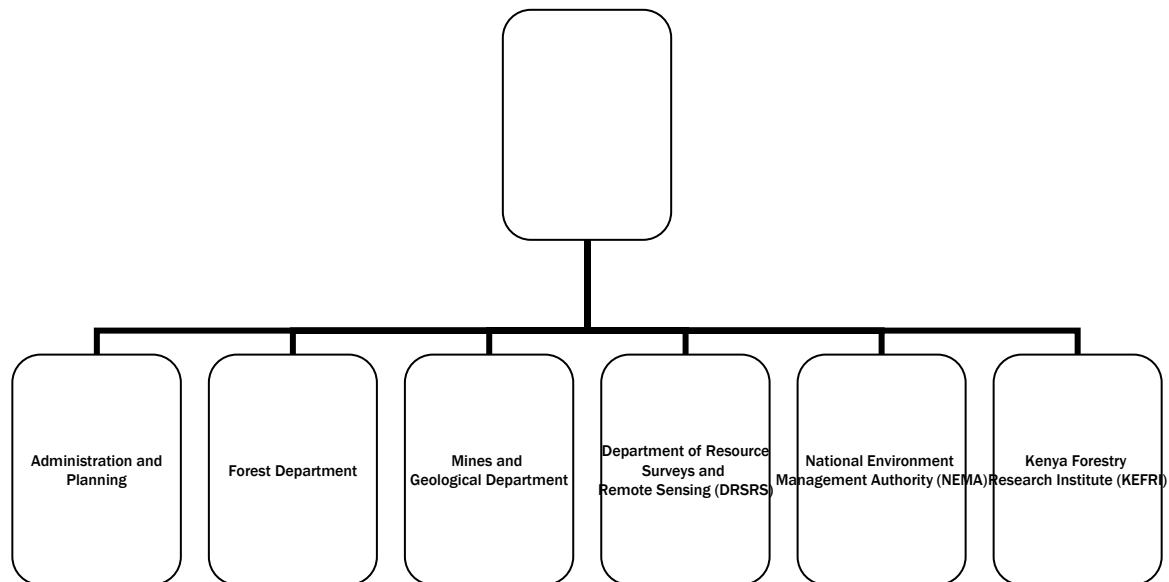
# Japan

## Organization of the Ministry of the Environment

Organization Chart (as of the end of FY2001)



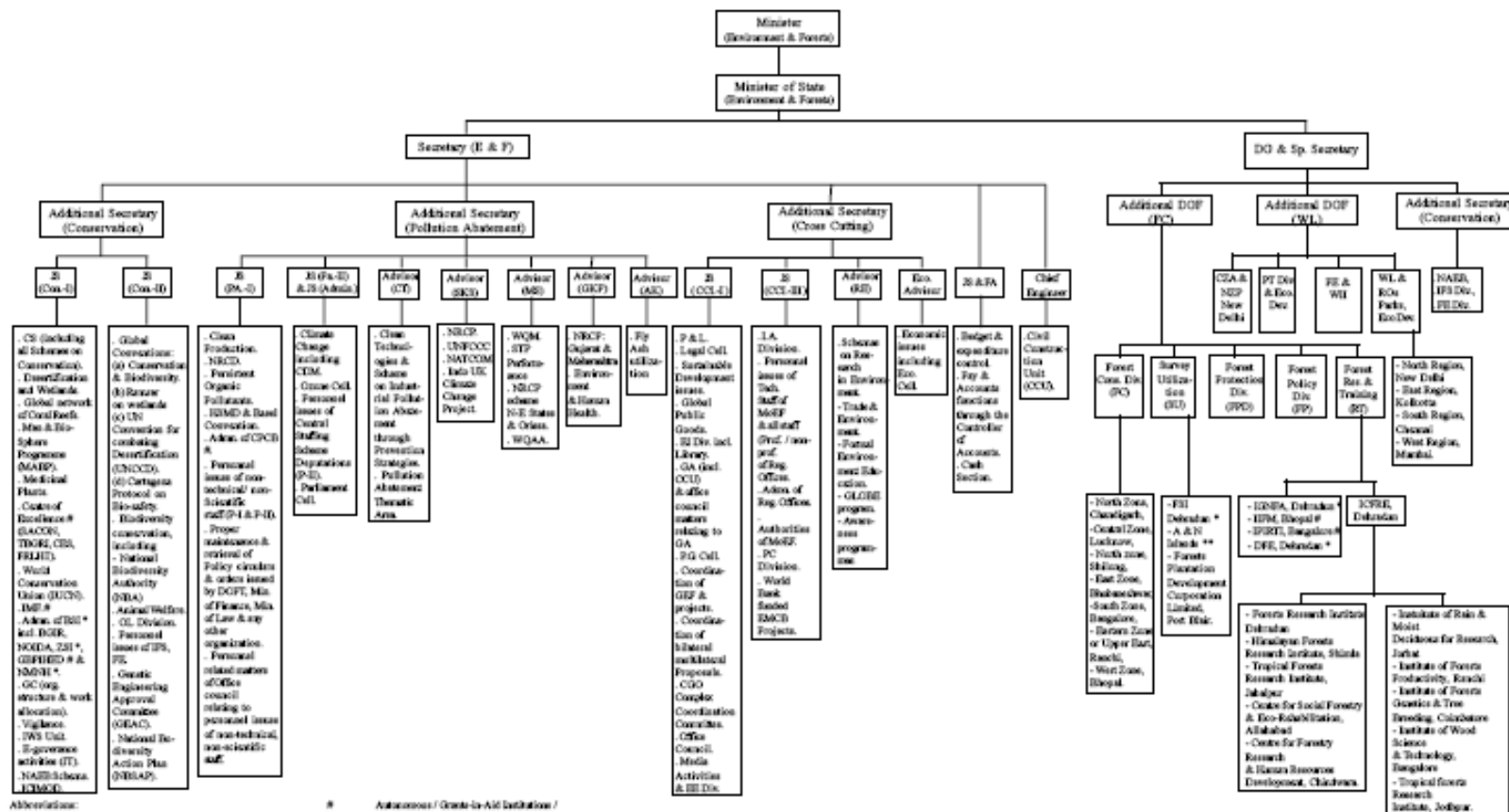
# Kenya



# India

Annexure I

ORGANISATION CHART OF THE MINISTRY OF ENVIRONMENT AND FORESTS



<b>Abbreviations:</b>	<b>#</b>	<b>Autonomous / Grants-in-Aid Institutions / Organizations</b>
CB: Conservation & Survey	**	Subordinate Office
SACON: Sales All Cases for Ornithology & Natural History		Public Sector Undertakings
THRI: Tropical Institute Geobotany & Research Institute	IGRIR:	Botanical Garden of India Republic
CEI: Centre of Ecological Science	ZNMI:	Zoological Survey of India
PLHIT: Foundation of Rehabilitation of Local Health Tribes	NMHI:	National Museum of Natural History
	NARBI:	National Afforestation & Eco-Development Board
ICMCO: Integrated Centre of Mountainizing Development		
IMP: Indian Mountaineering Foundation	CS, DVC:	Official Language Division
INS U: Internal Walk Study Unit	GA:	General Administration
BS: Botanical Survey of India	FDVC:	Integrated Finance Division
GDP: Global Development Fund	IAFC:	Impact Assessment Division
PC: Plant Conservation	INP:	Indian Institute of Forest Management

NRCR:	National River Conservation Directorate
IFS:	Indian Forest Service
ICFRE:	Indian Council of Forestry Research & Education
NZP:	National Zoological Park
DFE:	Directorate of Forests Education
FSI:	Forests Survey of India
PT:	Project Tiger
PS:	Project Elephant
PG Cell:	Public Grievances Cell
NDAF:	National Forests Action Plan
FE:	Forests Establishment
IGNFA:	India's Global National Forest Academy