

Neo-liberal verbiage

The draft National Environment Policy is replete with numerous contradictions and flaws

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The draft National Environment Policy (NEP) released recently by the Union ministry of environment and forests (MOEF) identifies major environmental problems, outlines their causes and puts forward a set of principles to address problems. But glaring loopholes remain. The most obvious ones pertain to the draft's contradictions with current government policies and programmes.

For example, the draft NEP talks of integrated management of individual river basins, while the government is actually trying to interlink river basins! There is no mention of direct regulation of groundwater extraction, only vague talk of "taking account of impacts of [free] electricity" for pump sets — this, when a model groundwater regulation bill has been pending with the states for several years. The section on biodiversity makes no mention of the National Biodiversity Strategy and Action Plan commissioned by the MOEF itself.

Even more worrying are attempts to dilute existing environmental regulations in the name of "streamlining," "rationalising" or "decentralising". The draft actually talks of piecemeal decentralisation of environmental clearance to state authorities, without addressing the major problems of non-transparency and biases in environmental impact assessment processes at large. Equally dangerous is the introduction of "environmental offsetting", exemptions to the forest conservation act in the name of "overriding national interests" (an undefined concept).

Underlying ideology

These sleights of hand are not surprising, if one locates the draft within the current neo-liberal discourses of development. Skewed as these are, neo-liberal discourses also oversimplify causes of environmental degradation. It's not surprising that the draft's prescriptions are as dangerous as the disease itself. Firstly, NEP defines "development" only in terms of "poverty alleviation", which in turn is defined in material terms. This is a highly *impoverished* notion of human well-being. The environment is important not just for the economic goods and services it provides but also because it's a part of the world that we live in: it provides aesthetic and cultural forms of well-being. The belief that these non-material aspects can become important only *after* adequate numbers of people have become rich is highly misplaced. The poor do not always "degrade" the environment out of economic compulsion and the rich are not likely to protect it in a world where wealth is equated with a consumeristic lifestyle.

Secondly, the draft ascribes "deeper" causes of poverty to "institutional failures, fiscal policies, market failures and governance constraints". This is a shallow analysis. The absence of well-defined property rights for communities is more often than not, the result of the colonial and post-colonial states' de-recognition of such rights. And, where new regulatory mechanisms have been created — as in the case of pollution control — powerful polluting industries first lobby for lower environmental norms and then flout these standards with impunity, while voices of the affected communities remain unheard. These structural factors are compounded by the emerging consumeristic culture.

Given its superficial analysis, the draft naturally goes overboard in advocating fiscal, regulatory and administrative reform, while fudging the question of decentralisation. It argues that "command-and-control" approaches to environmental regulation "do not permit individual actors to minimize their own costs of compliance", while "economic instruments work by aligning interests of economic actors with compliance, primarily through the 'polluter pays' principle". This is misleading. If taxes are to reduce pollution levels significantly, they have to be high enough to hurt polluters. But high taxes also impel polluters to flout regulation! And, if they got away with non-compliance under the command-and-control regime, they can surely do so under the 'polluter-pays' approach.

Besides, NEP pays lip service to "decentralisation". It talks of extending Joint Forest Management when there is ample evidence that this programme often results in socially and environmentally perverse outcomes. Similarly, its interest in customary tribal rights in forests rings hollow when all

levels of government avoid implementing the Panchayats (Extension to the Scheduled Areas) Act — the only hope for genuine decentralisation. NEP 's aims "to mainstream environmental concerns in all developmental activities" would require revision of policies related to agriculture, industry and power — not just the environment But with its neo-liberal ideology, the draft dilutes even existing regulatory procedures.

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