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Decentralization of Environmental Policymaking: Civic Environmentalism in Theory and Practice. Proceedings of the Civic Environmentalism Working Group Conference

August 19, 2000

Executive Summary

This conference had two purposes. First, to explore decentralized approaches to management of environmental questions with special, though not exclusive, attention given to the democratic goverance of the Maine lobster fisheries. Second, to fit the Maine experience with civic environmentalism (and those of other regions and in urban settings) into the broader context of the American political tradition.

Civic environmentalism, taken from both the practical and theoretical standpoint, challenges traditional environmental management practice with the vast resources of energy and ingenuity that surface when free citizens are given the authority to build and to operate their own institutions. The conference tapped into a vigorous and growing movement that promises to change - and to improve - the way we manage our environment.

Focusing on ecosystem management, the perspective of the citizen opens up many areas of discussion that have been largely overlooked in modern environmental policy - questions of community; local institution building; the extent of real authority granted local institutions; responsibility; individual stewardship; and the complexity of ecology on the small-scale.

The following summary points hardly do justice to the rich and varied discussion. The reader is encouraged to review the entire proceedings.

In the case of Maine lobster fisheries, the federal government's scientific focus on large-scale biomass measures can fail to address critical, small-scale biological issues - such as habitat, the spatial structures of populations, or species interconnections - that characterize complex, real-world environments.

Because scientific observation and measurement can be costly and subject to large errors, current science cannot always give precise answers about species status and conservation. Local industry participants, like the Maine lobstermen, with their close, ongoing knowledge of specific conditions, are more often better observers of environmental characteristics and changes.

In a wide variety of environmental efforts, a more nested governance structure - with local and state as well as federal involvement - provides the multiple scale needed to create effective rules, promote learning, improve science, and enhance stewardship and responsibility for the environment.

To restore active citizenship, people need to have real authority to make real decisions to do real things. The outcome of that real authority may not please all established interest groups. Resistance to local autonomy or to local solutions (however effective these may be for the environment) may come not only from federal government

agencies but from national environmental groups with an established national agenda.

Social science research is a major source for understanding collective action. New research strongly supports the ability of citizens to make rational rules and regulations for resource management on the very small-scale.

Civic environmental activities in urban areas are a source for renewal of citizenship and for redressing failures of traditional environmental law and command-and- control solutions. However, the problem of placelessness, especially in urban areas, must be confronted if civic environmentalism is to take hold.

Civic environmental activities in the West present particular challenges. The extent of the federal government's land holdings and the great distances that must often be traveled for individuals to organize are disincentives to building self-governing institutions on the local level.

Pervasive in modern environmental policymaking are three problems: loss of local government control, over-reliance on scientifically dubious modeling, and a perspective that views citizens as perpetrators rather than participants. Civic environmentalism addresses these problems by linking environmental issues with the rights, duties, and privileges of citizenship.

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Introduction: Citizen and Nature
Jeffrey Salmon

A year ago, the Civic Environmentalism Working Group came together to consider how

examples are still incubatory.

Civic environmentalism requires civic will: people who are engaged, who care, who ask why. It also requires formal mechanisms: associations, organizations, responsibility, and leadership.

We also face the problem of placelessness, exacerbated by global markets and capital flows. To the extent that people do not feel connected to their communities, they do not know what they have at stake and why they should take action to improve things. In addition, instead of continuing to find ways to externalize the environmental costs of marketplace activity, we should anticipate those consequences and take action to protect localities and retain local values.

Affordability is critical. Public funds should not subsidize civic environmentalism, but they should support it to the greatest extent possible, which means shifting fiscal obligations from things like the military to more important national security concerns such as eco-system carrying capacity.

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Comments were provided by Robert Hawkins. A summary:

The Dudley Street Initiative shows that if civic environmentalism is going to mean anything - if it is to be a mechanism for solving problems and changing how people act - there has to be real stakeholding involved.

Stakeholding replaces the command and control model with reflection and choice. For cities, the most serious environmental problem is institutional poverty. Yet the right to self-organize to combat that problem has been sucked out of poor communities. Ironically, we assume that an entire city is a rational level of government but neighborhoods are not. Their governing bodies do not have governing powers. The possibility that a neighborhood could get limited powers of self-government, or to de-annex, is precisely the kind of opportunity structure you need in law to allow people to negotiate effectively with downtown.

Stakeholding also combats the increase in alienation and cynicism. A Lou Harris poll in 1960s found that 29 percent of the respondents felt alienated; today, that figure is over 60 percent. Other studies show Americans are volunteering but not joining; giving money but not participating. Growing numbers, both left and right, think of themselves as consumers but not citizens. To restore active citizenship, people need to have real authority to make real decisions to do real things.

Experiments in civic environmentalism build a common sense of expectations and shared language. These connections, not romantic notions of self-government, are the real roots of a self-governing society. As Dudley Street shows, ensuring that neighborhood groups have sufficient rights to self-government creates tremendous energy.

What are the threats to successful civic environmentalism? First is the impetus to blue-print thinking: taking a cookie-cutter approach to differing communities. Instead, structures must be designed to fit local circumstances. Second is the problem of getting state and local governments to think of themselves as enablers and institution-builders instead of seeing civic environmentalism as a threat and acting to subvert it. Other challenges: The need to "keep it simple, stupid;" and impatience. Also, over-reliance on external funding: when an NGO is on the city (or state or federal) budget, it is vulnerable to government threats to go along with policy or go broke.

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National Currents in Civic Environmentalism

People self-organize to protect and conserve resources to a much greater degree, and with much greater sophistication, than is acknowledged by standard social-science

theory. This kind of citizen action is important to make environmental efforts truly accountable and effective. The speaker is Professor Elinor Ostrom.

Summary of Remarks:

For the last three decades, the dominant social science theory affecting resource policies has viewed citizens as ignorant, selfish, and helpless, in contrast to public officials who can use scientific information, design optimal policies and achieve planned outcomes. In this view, order is presumed to come from the center, policy is based on aggregate data, and little weight is given to local knowledge. Large, diverse terrains are subject to single policies.

This theory is now being challenged. In the field, we are discovering numerous, robust local institutions where people have come together to sustain natural resources through monitoring, sanctions and cooperation. In laboratory experiments, it is clear that individuals communicate and devise their own rules and strategies ? even complex rotation schemes - relatively soon, depending on factors including group homogeneity and distance needed for communication.

An important working part of the theory of collective action, the theory of human behavior, is undergoing extensive reformulation. Humans are proving "boundedly rational" - that is, they seek to achieve preferred outcomes, but do not always have the information they need about options and connections. They are also capable of learning. And while self-interested, they are capable of adopting norms of reciprocity, trust and trustworthiness.

One important dimension of successful collective action is that norms need to be complemented by rules. Long-sustained resource systems are invariably enforced by rules - agreed-upon prescriptions that you must do or not do some thing or a sanction will occur. In this sense, a rule is not defined as a government pronouncement but as an articulatable action or outcome that must, must not, or may occur, "or else" - and "else" may be locally defined or other; legal or other. In studying Nepal's irrigation system, for instance, you find a neighborhood "cow jail:" if a person fails to contribute his fair share of time to the irrigation system, the community takes the cow and gets the milk until you pay up.

Broadly speaking, new collective institutions are the result of a cost/benefit calculus. People do not take on the transaction costs of meeting and acting unless they perceive, first, a problem and second, a benefit from collective action. That calculus is also affected by biophysical variables, such as scale of the territory to be organized (a relative measure depending on people's communication and transportation technologies), predictability (the less random the resource outcomes, the easier to monitor and set rules), scarcity (where resources are perceived as abundant, people do not organize - often until it is too late), and the reliability of indicators (how easy and quickly the condition of resource can be seen).

Other factors influencing the metric of the cost/benefit analysis include the salience of the resource (e.g., whether people gain a great deal of economic, religious, natural or recreational return from it); the degree of common understanding of the problem (where there is disagreement over fundamentals, people won't organize and agree upon rules); "discount rates" for the future resource base (people need to value future resources heavily enough to sacrifice for them); trust that others will follow rules; the degree of individual autonomy; prior organizational experience (which keeps transaction costs down), and leadership.

In studying collective action for resource conservation, we have discovered that people set for themselves vastly more complex rules than the textbooks suggest. There are, for instance, twenty-seven types of boundary rules (e.g., who is allowed in to the group and under what conditions), one hundred and twelve types of authority rules (what kind of "tools" may you use, how you may operate); payoff rules (how much return you can make, how much can you owe); rotation systems (for taking responsibility to monitor and staff the collectivity), and others.

Rules may distinguish among specific products, species, times of year, uses (consumption vs. commerce), and the needs, rights and location of users. The resulting "rules space" is immense, if not infinite -- a constructed space as big as the human genome. User-designed rules frequently work configurally: People start with a few rules, slowly learn what is effective through trial and error and networking, and make necessary changes.

In a complex environment, collective action benefits from polycentricity - the ability to interact at multiple scales, taking advantage of the strengths of smaller as well as larger institutions. For instance, smaller-scale institutions tend to provide strong local knowledge, can quickly communicate the results of trial-and-error learning, and enhance the legitimacy of rules through increased trust and reciprocity. Disadvantages can include local tyranny and a lack of broad experience. Larger-scale institutions can draw on scientific knowledge, more formal conflict-resolution systems (e.g., courts), and greater control over larger-scale phenomena, such as regional events.

An example of research into resource-conservation institutions is an intensive, ongoing study of forests in Indiana and the Amazon. Some of the Indiana results are summarized here. In 1620, most of the Eastern United States was heavily forested with primary forest. By 1820, Indiana was still almost entirely forested, but by 1900, it was down to four percent. By 1990, primary forests were mostly gone, even though substantial re-forestation had occurred in the southern part of the State.

Early deforestation can be seen to have moved along the transportation routes - rivers, canals, railroad. Today, current forest cover is not strongly associated with either transport or demographics, but rather follows topography - forests can be found below glaciers and slope land, and are largely gone from plains land. Reforestation has followed four successive stages, based on prior land use: lowland old field to forest; upland old field grazed to forest; plantation growth; and clear cut to forest. Studies show that forest growth is faster on clear-cut land than on abandoned lowland old field; forest growth on abandoned lowland faster than on abandoned upland old field. We also see that very degraded forestry forest land may develop into a meta-stable shrubland community, which can delay succession to forest.

Of the 25-percent forest regrowth in Indiana, most has occurred on private land. However, the study has found no simple correlation between forest conditions and any single, formal, property-rights system. We can't say that the forest is in better condition because it is federally owned and managed or not; or communally or privately owned or not.

In addition, it is unclear that carefully managed timber-cutting programs on state or federal land impede forest regrowth. Four percent of Indiana is held by federal and state agencies. Yellowwood State Forest and Hoosier National Forest are both temperate, decidious, oak-hickory forest. They have similar user groups and interested parties; few differences in staff beliefs and rules. From 1972-85, part of the Hoosier National Forest permitted forestry cutting with a percent of sales going back to Hoosier. This changed between 1985 and 1991 as the federal government reduced the amount of land where cutting was permitted. By 1991, despite citizen group mobilization, no further cutting was permitted on this federal land. In contrast, Yellowwood State Forest continues to have a timber-cutting mandate, encouraged by the legislature and returning funds to counties. The timber-cutting process in State forests, however, is highly selective, and thus forest cover has also improved within the State forests. Data confirms that Hoosier National Forest is regrowing, but so is Yellowwood, which in fact has a higher level of land-cover change.

To scale up these results, it will be necessary to investigate change in state forests of other topographical regions. But it appears that a diverse approach may be important.

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Comments were provided by Dewitt John. A summary:

The environmental policy system as a whole is starting to change - and needs to

change - to accommodate civic environmentalism, whether defined as local self-organizing activity or broader efforts. We are already seeing a new kind of business management working with NGOs and community advisory panels to deal with environmental problems.

Today, the literacy and values of the country have changed. Communities and businesses are more capable of acting upon the concept of sustainability and of reducing their environmental footprint. As technology progresses - especially information technology - there is greater understanding of how and why environmental conditions change.

The traditional system does not accommodate itself to this growing public literacy well. EPA is broken in important respects: it does not direct resources effectively to the most prevalent environmental problems and it doesn't tap citizen action. Over the last two years, at the National Academy of Public Administration (NAPA), we have been working with several research teams to evaluate innovations at EPA and in the states. The project was commissioned by Congressional Appropriations committees and our final report will be published in November. (The case studies are already on the Web, at www.napawash.org/innovations papers.)

In looking at seventeen different studies of watersheds, from the Colorado River Basin to smaller systems, we found that collaborative local processes can lead to improved quality in many if not all conditions. These range from voluntary watershed activities, improved compliance, increased state and local regulation, and other incentives to improve the environment. This kind of collaborative civic activity is a crucible in which government decisionmakers can come together with people in the community to develop specific actions that make sense - customizing regulator tools to meet particular circumstances of that community.

Of course, not all communities have the social capital to do this, and even smoothly functioning collaborative processes sometimes result in feel-good projects - "random acts of environmental kindness." Over time, however, communities begin to come to grips with tougher, larger questions.

We are seeing people organize in the American West with the same spirit that we heard from the Maine lobstermen: frustrated, alienated and fearful about fed activity -- citizens who are upset and anti-government. These collaborative community processes are often funded by the government even though they are anti-government. Frontline agency staff often finds itself in the middle between a one-size-fits-all, traditional understanding and the newly emerging civic model. And citizens who are reacting to a fearsome regulatory process are often driven by that process and also use resources from the system.

In this sense, civic environmentalism is not an alternative to regulation and the top-down command and control system, but a complement to it. Although the "tragedy of the commons" is an exaggeration, there is still some truth in the metaphor. Self-interest often does drive individuals and firms to pollute or to overuse commonly owned resources, even if they share the broad social commitment to environmental values. There fore there must be rules, and the role of government is to lay down and enforce those rules. At the same time, the government that is best suited to regulate is not always the federal government. We need to transform the way the governance system functions â?? no longer top-down, but nested.

Tighter regulation is not self-implementing - it is a myth that if you pass a law the world will behave differently. Rather, compliance requires civic understanding, monitoring and enforcement.

The question to struggle with is how do you merge the civic process and the regulatory system. In looking specifically at watersheds, we concluded that having the regulatory system was necessary to drive local collaborative process. But while regulatory pressure and even threats are needed for effective sanctions, to really get somewhere you must have a civic process.