The Europeanisation of environmental policy in the 1970s

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Abstract:

This article analyses the emergence of an environmental policy of the European Communities (EC) in the 1970s in terms of the Europeanisation of the environment. Drawing on the conceptual literature on Europeanisation, three different types of Europeanisation are distinguished: first, Europeanisation as establishment of institutions and policy making at the EC-level, secondly, Europeanisation as the EC’s impact on the member state, and thirdly, societal Europeanisation, as a process of establishing transnational cooperation of societal actors across the EC. The article disentangles the process of Europeanisation of the environment emphasising the beginnings of Europeanisation in the context of the Council of Europe and the take-over by the EC of policy ideas and principles from the international level. Furthermore, it addresses the rapid emergence of societal Europeanisation, notably by anticipating the European impact on member state legislation.

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1) **Europeanisation and the political invention of the environment**

The European Union (EU) is a major player in environmental policy today. Internationally, the EU has become a leader in global environmental negotiations on issues such as climate change, presenting a common European view. In Europe, the environmental norms set by the EU also deeply affect and shape national environmental policy making in the member states. This has led to a convergence of environmental standards starting in Western Europe, now extending also to Central and Eastern Europe. Political scientists consider the policy area of the environment as surprisingly thoroughly Europeanised.¹

Despite its pivotal role at present, at the time of the "political invention of the environment" in the early 1970s, the European Communities (EC), the institutional predecessor of the EU, was a late-comer. An EC environmental policy only started in the aftermath of the 1972 Stockholm United Nations (UN) conference on the human environment with the First Environmental Action Programme of 1973.² Other international and regional organisations in Europe such as the UN’s Economic Commission for Europe (ECE), the Organisation for Economic Cooperation and Development (OECD), and the Council of Europe (CoE) had been active in this field much earlier. It is them, rather than the EC, which deserve credit for having turned the environment into a political issue in Europe.³ Similarly, many national governments placed the novel issue of the environment on the national political agenda in 1970/71 by appointing environmental ministers – such as France and the United Kingdom (UK), or by establishing an environmental programme, as did West Germany in 1971. Only subsequently did the member states agree to Europeanise this policy at the level of the EC.⁴

This article sets out to explore the establishment of environmental policy at the level of the EC and its consequences as a process of the Europeanisation of the environment. Starting with a brief

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discussion of the various understandings of the notion of Europeanisation by political scientists and historians alike, I will propose a conceptualisation that allows us shed light on its different dimensions.

The concept will then be used to analyse how Europeanisation played out in the emerging environmental policy in the 1970s, focusing on the creation of the overarching policy framework of the First Environmental Action Programme of 1973, which provided the central political point of reference until the formal establishment of a Treaty base in the Single European Act in 1987. For a conclusion, I will reconsider to what extent it makes sense to analyse the emergence of EC environmental policy as a process of Europeanisation.5

2. Defining Europeanisation

Like Americanisation, Europeanisation is both a territorialised and a procedural term. Territorialised terms are attractive and convenient shorthands, which evoke a variety of associations. For analytical purposes their elusiveness is rather a drawback.6 Essentially such a term describes a relation between a territory or territorial actor and an object of change or transformation. This relation may involve a direct transformative impact, or adaptation by the object to the norms associated with the territory.7 As a procedural term, Europeanisation is ambiguous, since "-isations" tend to both describe a process of change and the anticipated – or intended – end result of this process.8 Historians have thus warned against the teleological undertones implied in a concept of directional change, and called for including counter-currents and alternatives into the analysis, too.9

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In order to define Europeanisation, three questions have to be raised: First, regarding the object of transformation: Who or what is being transformed? Secondly, regarding the reasons for change: Who or what causes the transformation? Thirdly, regarding the direction of change: What is the anticipated end result, or – to be less teleological – the direction of the transformative process?

First, various objects of Europeanisation have been spelled out in the academic literature: Traditionally, Europeanisation referred to making places outside Europe (appear) more European. Similar to the way we tend to use Americanisation today, it denoted the refashioning of non-European places (or peripheral places within Europe) along the lines of European norms and models, economic, political, cultural and social structures, as well as landscapes, notably by colonialism. Political scientists, however, look at how Europeanisation affects states and institutions in Europe itself, for instance, by changing the geographical boundaries of "Europe" through enlargement, by establishing European-level institutions and – conversely – by the impact these institutions have on the member states. Historians have also pointed to European societies and societal actors as objects of change.

Secondly, the territorialised term implies that "Europe" is a causal factor. In what has been called the "top-down" perspective, Europeanisation denotes the impact of the EU on the nation state, its institutions, its politics and administration, and its society. Conversely, in a "bottom-up" perspective, the member states of the EU are considered an important causal factor. It is them who not only created, but constantly reshaped Europe, i.e. the EU. These are analytical distinctions; in actual practice, these causes frequently interact.

Thirdly, the anticipated direction or end result of the process is usually deemed to be "more Europe", rather than less, and/or more intra-European similarity. Where Europeanisation referred to European institution-building, it was usually expected that it would lead to the establishment of an ever more integrated political system comprising a growing range of policy areas. Where Europeanisation

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referred to the impact of the EU on national policies this usually implied the expectation of a convergence of policies and political institutions throughout Europe. Such expectations proved to be problematic in two respects. On the one hand, they tend to lead to teleological analyses, which ignore countervailing processes. On the other, the empirical evidence of the process has demonstrated that these processes are more complex and may lead to the Europeanisation of institutions, but at the same time to new divergence, as European policies are re-fractured through the prism of national institutions and traditions. Consequently, instead of stating an expectation, it might be more appropriate to treat Europeanisation as an open question: To what extent do we observe common institution-building in Europe and European convergence? And: to what extent are there processes pointing in the opposite direction?

With regard to an inquiry into the Europeanisation of environmental policy, I would like to distinguish three dimensions of Europeanisation: First, Europeanisation as institution-building includes the establishment of policy-making competences in a new field at the European level. It may be understood as a "bottom-up" process, i.e. the shift of policy making from the national to the EC-level. However, this is only half of the story. Since the political invention of the environment took place at the international level, we may ask to what extent it also involved some selective "downloading" from the level of the international organisations. Secondly, from the "top-down" perspective of the European impact on the member states, Europeanisation can be understood as a process that affects domestic institutions and rules. It is worth considering resistance to such changes, too. Thirdly, societal Europeanisation can be understood as a product of growing transnational exchange and cooperation – either independent of or in conjunction with European-level politics. It is these three dimensions that I will highlight in the subsequent analysis.

3. The political invention of the environment and the First Environmental Action Programme

The First Environmental Action Programme of 1973 can be interpreted as the result of a successful process of Europeanisation of the novel policy area of the environment. The new political concept "environment" only emerged at the eve of the 1970s. As opposed to the older ideas of conservation or nature protection, environment provided a new generic term which comprised all issues relating to man's

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relation with nature. This included issues as diverse as resource and energy conservation, waste disposal, city planning and urban sprawl, nature protection as well as noise, air, water pollution and the preservation of the soil. As a political concept it called for public attention and political rather than the more secretive administrative solutions. In an age of science, policy making required a sound scientific basis. Aesthetic judgements that had informed decisions in earlier decades seemed no longer legitimate. The environment was perceived as a global, cross-border issue, requiring urgent political intervention.\textsuperscript{15}

This new political concept was invented at the international level at the eve of the 1970s, among groups of scientific experts – meeting for instance in the context of the International Biological Programme. These scientists collected information about damages to nature, resource use and pollution from around the globe for the first time. What they found was utterly disturbing. The advent of mass consumer societies in the Western Europe, North America, and other parts of the world during the postwar boom (trente glorieuses) clearly came at a price. It became visible by the end of the 1960s that growing car ownership, chemical detergents and disposable consumer goods led to unprecedented levels of air and water pollution, urban sprawl as well as household and industrial waste piling up.\textsuperscript{16} Trained in ecology which had become an influential scientific framework during the post-war period, experts shared the interpretation that human intervention threatened the fragile balance of the earth as an ecosystem, and called for political action.\textsuperscript{17} It was at the UNESCO's 1968 Conference on "Man and the Biosphere" in Paris that this call for political action was voiced for the first time. The conference also supported the idea to hold an UN conference on the Environment that had been proposed by the Swedish government and the UN's Economic Commission for Europe.\textsuperscript{18} Other European organisations, notably the intergovernmental CoE, which had long engaged in nature protection issues, played an important role in the process of the political invention of the environment in Europe. Government experts meeting in the CoE context prepared declarations and charters on water and air pollution in the late 1960s, which


introduced important new principles such as the "polluter-pays principle". In fact, this tenet was subsequently introduced into the EC Environmental Action Programme. Most importantly, the CoE declared 1970 the European Conservation Year. This event contributed to popularising the issue and placing it on the agendas also of national policy makers. Effectively, the issue of the environment was Europeised right from the start, even if in the context of the older intergovernmental CoE, which was subsequently eclipsed by the EC/EU.

The UN conference on the Human Environment in Stockholm in 1972, which required national governments to produce reports about the state of the environment in their own countries meant the breakthrough of the political invention of the environment. The Europeanisation of the environment – i.e. the institutionalisation at the EC level – took place directly in the aftermath of the Stockholm conference.

Notably the supranational institutions of the EC facilitated the down- and cross-loading of environmental policy from international and other European institutions. Remarkably, the European Parliament (EP) – unelected at the time and essentially powerless – was the first institution to place the environment on the EC agenda. Drawing on the issues of water and air pollution that the CoE had previously dealt with, activist members of the EP’s Committee on Public Health and Social Affairs such as the Dutch socialist Jacob Boersma and the German Christian Democrat Hans-Edgar Jahn produced reports on their own initiative. Using this instrument to raise attention to the issue, they called for EC action. The European Commission – which enjoyed the monopoly power of proposing EC legislation –

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regularly attended different international and European institutions' meetings and conferences as an observer. Commission officials also coordinated member states' point of view for the 1972 Stockholm UN conference. It was in this context that in 1971 the Commission produced a "First Communication"[...] about the Community's policy on the Environment", which included not only an overview of national policy measures, but also referred to many of those from the international level.24

Given the embedding of Commission officials in international networks of experts on the new issue, and the opportunities the new policy provided for as task expansion for the EC the role of the Commission in the Europeanisation of environmental policy is hardly surprising. However, personal attitudes and commitment of leading Commissioners equally played a role. Commissioners Altiero Spinelli, in whose directorate for industry a unit dealing with environmental issues was set up, and Sicco Mansholt were personally committed to establishing a Community environmental policy. Mansholt was a member of the Club of Rome, which published the influential report about the "Limits to Growth" in 1972 that warned against excessive resource use. Mansholt's address at the Stockholm conference received ample attention.25

However, the Europeanisation of the environment as an EC policy was not only a result of downloading from the international level and the supranational institutions as policy entrepreneurs, it was also a result of uploading the incipient national policies on the environment to the European level. In many European countries the environment had increasingly become an issue of public debate. International bestsellers on environmental issues set the stage in the 1960s, such as Rachel Carson's "Silent Spring",26 an admonition against the consequences of the excessive use of DDT, or warnings against unfettered population growth, such as Paul Ehrlich's population bomb.27 Media reporting about environmental issues increased. News about desasters such as the Torrey Canyon oil spill of the French

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and British coasts in 1967 brought home compelling images of dying birds televised for the first time. Such images resonated with the everyday experience of growing pollution.28

National governments in Europe were alerted to the environmental issue not only by the media, and the activities of international organisations, but quite importantly also by the example of the United States. At the eve of the 1970s, the Nixon government enacted an ambitious Environmental Policy Act, and set up an influential Environmental Protection Agency.29 Via NATO, the Nixon administration even sought to actively promote the issue among its partners. However, the European partners suspected the American administration of wanting to divert attention from the disastrous developments of the Vietnam War, and feared that NATO engagement in this area would aggravate Cold War tensions in this new area. Due to the reluctance of the Europeans the programme remained largely limited to research.30 At the same time, the US example clearly informed the West German environmental programme, and even the first French minister of the Environment, the Gaullist Robert Poujade, spoke with great admiration of Washington, where he travelled to for an information visit, as "le meaque de l'environnement".31

The central reason why the environment was almost immediately Europeanised as a policy at the European level was the fact that the new national environmental regulations threatened to distort trade in the common market, which was at the heart of the EC as an economic community. In order to avoid such distortions of trade, member states supported to accept measures in a policy area where the EC had no explicit competence. When the original treaties were drawn up in 1957, the environment as policy had not yet existed. However, since differing environmental regulations of product and production standards threatened to erode fair competition in the common market, even member states more sceptical towards

establishing new EC policies, such as the French government, preferred at least coordinating environmental policy at the EC level.³²

Thus, the Europeanisation of environmental policy can be understood as process of downloading of environmental policy ideas from the international level and from competing European institutions such as the CoE, and as uploading of environmental policy from the national level. Both aspects are reflected in the contents of the Environmental Action Programme, which contained many principles, such as the polluter-pays principle, championed by influential member states, notably West Germany, but which had originally been devised at the international level. The contents of the Environmental Action Programme, the main definitions, problem descriptions and remedies suggested indicates that the EC emulated the emerging international consensus of the UN conference. In the open situation of a new policy, when experience with actual environmental policy making was missing, this was probably the most legitimate way to proceed.³³ Like the UN conference, the Environmental Action Programme defined the environment in an anthropocentric fashion with reference to enhancing man’s "quality of life" and the need to reconcile economic expansion and development on the one hand and to protect the environment maintaining the ecological balance on the other. Almost all of central problems, namely pollution, living and working conditions and the exploitation of resources, are taken from the UN conference. Only the issue of land use draws on the CoE declarations from the European Conservation Year. The bureaucratic approach of wanting to tackle the problems by better management – including preventive and polluter pays principles – and research and technology, through education and international cooperation, mirrors the UN document, too. Harmonisation and coordination of national policies rather reflects standard EC policy practice. All in all, regarding core concepts of how to tackle the problems of the environment, Europeanisation meant to a large extent a process of copy and paste of an emerging international consensus.

³³ Meyer, « Appropriating the Environment. How the European Institutions Received the Novel Idea of the Environment as a Policy Area and Made it Their Own ». 
Europeanisation understood as the impact of the new policy on the member state was still rather limited in the 1970s, when European law-making in the area was in an early phase. However, the governments were well aware of the potential impact of EC legislation. Thus they included in the Environmental Action Programme the principle that environmental action was to be taken "at the most appropriate level", in order to assert the role of independent national and local action in this policy area.34

However, once established, a Community-level environmental policy encouraged societal Europeanisation. Already in 1974, the European Environmental Bureau (EEB) was set up to represent environmental groups from all member states, to exchange information between Brussels and the national and local environmental movement, and to coordinate protest or lobbying efforts. Even if the founding of the EEB was a response to the new EC policy, it emerged rather coincidentally. Ironically, to some extent it even seems an unintended consequence of attempts of Americanisation. In 1974, the American Sierra Club had invited environmentalists from various European countries to Brighton to inform about their activities, promote their model of environmentalism and encourage international cooperation. In this context, European environmental groups – aware of the new Environmental Action Programme – discussed the need to work together at the European scale, in order to try to influence EC policy. They set up an office in Brussels, and started to establish relations with the European Commission. Slowly they increased their membership beyond the haphazard array of internationally active groups and individual members who happened to be present in Brighton. They tried to insert the opinion of environmentalist across Europe into EC policy making, for instance on nuclear energy, and coordinated effective campaigns carried out by the member organizations to lobby member state governments, who were decisive players in enacting European legislation.35 Until 1986, when Friends of the Earth established their own Brussels office, the EEB was the monopoly representative of the environmental movement in Brussels.


The subsequent development of European environmental policy making indicates the importance of societal Europeanisation. Not only state but also societal actors engaged in attempts to shift policies to the EC. For instance, bird protection organisations were very keen on Europeanising the issue of the protection of migratory birds against hunting in Southern Europe. The goal of activists from Italy and Northern member states cooperating transnationally was to deliberately use such Europeanisation in order to have an impact on those member states that continued to tolerate the hunting and eating of small migratory songbirds. Thus they would be able to circumvent the respective national authorities which closed their eyes to contraventions. Within the EC institutions, it was again activist members of the EP, notably the rapporteur on various environmental dossiers, Hans Edgar Jahn, who helped placing the concern of the bird protection activists on the EC agenda, first by supporting a petition with a parliamentary report and resolution and through numerous parliamentary questions, calling for binding legislation through what became the birds directive enacted in 1979.

The battle for the birds directive triggered societal Europeanisation. Cooperating informally at first, bird protection organizations realized that in order to effectively promote their cause at the EC level and across the member state, they needed a more firmly established transnational organization. Thus they set up a Working Group of European Bird Protection Societies (WEBS), the predecessor of Birdlife Europe. Hunting groups were opposed to the Europeanisation of laws that impacted on previously national or regional hunting legislation through the projected birds directive. Thus they also established a European organization, the Federation of Hunting Associations in Europe (FACE). Clearly, Europeanisation of policy making not only meant the Europeanisation of organizations but also of political conflict.

4. Conclusions

This article suggests that it is worthwhile to apply the notion of Europeanisation to the case of the political invention of the environment in the 1970s, because it helps to disentangle the transformative


processes that went hand in hand with the almost immediate establishment of the new policy at the level of the European Communities. Thus three conclusions can be drawn.

First, the Europeanisation of environmental policy understood as the establishment of a new policy at the EC/EU level was not an unprecedented shift of a formerly national policy upwards to Europe, as is usually expected of Europeanisation processes. Already before its establishment at the EC/EU level, environmental policy had been Europeanised at the level of CoE, where common European norms and rules were pioneered. Kicking in late in the process of the political invention of the environment, the Europeanisation of the environment at the EC level rather involved a take-over of an emerging consensus from the international level than the invention of a completely new specific set of ideas and measures.

Secondly, this transfer of environmental ideas was facilitated by supranational actors from the European institutions, which usually get short shrift in accounts of Europeanisation. At the same time, for reasons of maintaining fair competition in the Common Market, national governments – many of which had only just set up their own environmental policies – were now willing to shift it upwards to the EC level. Finally, societal Europeanisation swiftly followed the establishment of the policy at the EC level. Realising the novel opportunities of the new European arena of policy-making, environmental groups got organized at this level, as did their other interested parties in a new space of political struggle. Societal actors proved well aware of Europeanisation as the impact of the EC on national policy-making, an impact which was only to be felt more intensely as the policy became more firmly established in the subsequent 1980s and 1990s.