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# The Changing Face of Conservation: Commodification, Privatisation and the Free Market

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## **THE CHANGING FACE OF CONSERVATION: COMMODIFICATION, PRIVATISATION AND THE FREE MARKET**

**Sharon Beder**

Environmentalists in the late 1960s and 1970s argued that the exponential growth of populations and industrial activity could not be sustained without seriously depleting the planet's resources and overloading the planet's ability to deal with pollution and waste materials. They argued that new technologies and industrial products, such as pesticides and plastics, also threatened the environment. Following the protest mood of the times, they did not hesitate to blame industry, western culture, economic growth and technology for environmental problems. They questioned western paradigms of development and industrialisation, and criticising the inequitable distribution of wealth and resource use.

Although the environment movement was easily characterised as being anti-development their warnings captured the popular attention, resonating with the experiences of communities facing obvious pollution in their neighbourhoods. As a result, confidence in business declined contributing to a crisis for the legitimacy of capitalist hegemony.

In any country there will be groups and individuals who do not accept the prevailing ideological hegemony and contest individual governmental and institutional decisions.<sup>i</sup> Frequently they are weak and poorly resourced and can be ignored and marginalised. However as opposition groups gain popular support some degree of accommodation is necessary to deal with them. This accommodation may include the appropriation of elements of their discourse and implementation of minor reforms that don't seriously threaten the status quo.<sup>ii</sup>

In this case, accommodation took the form of the cooption of environmental discourse as well as environmental legislation to which business acquiesced.<sup>iii</sup> Although many governments did not recognise the importance of global environmental problems, they were forced by community pressure to respond to local pollution problems. During the 1970s many governments introduced new environmental legislation to cope with the gross sources of pollution. They introduced clean air acts, clean water acts, and legislation establishing regulatory agencies to control pollution and manage waste disposal. These accommodations were partially successful in placating community concerns and environmental issues remained on the back burner through the 1980s.

New scientific evidence of global problems such as global warming and ozone depletion, and the perceived failure of environmental legislation to protect local environments, renewed the perceptions of an environmental crisis towards the end of the 1980s once again threatening the hegemony of global capitalism. However the confrontational, radical potential of the environmental movement had waned by this time and a new strategy of cooperation and negotiation was in place.<sup>iv</sup>

### **SUSTAINABLE DEVELOPMENT DISCOURSE**

The sustainable development discourse, which emerged during the 1980s, accommodated economic growth, business interests and the free market and therefore

did not threaten the power structure of modern industrial societies. Many of the ideas associated with sustainable development had been previously articulated in the 1980 World Conservation Strategy produced by the International Union for Conservation of Nature and Natural Resources (IUCN) in collaboration with the UN Environment Programme (UNEP) and the World Wildlife Fund (WWF, now the World Wide Fund for Nature). This document, which was circulated to all governments, defined conservation as:

the management of human use of the biosphere [the thin covering of the planet that sustains life] so that it may yield the greatest sustainable benefit to present generations while maintaining its potential to meet the needs and aspirations of future generations.

The World Conservation Strategy argued that while development aimed to achieve human goals through the use of the biosphere, conservation aimed to achieve those same goals by ensuring that use of the biosphere could continue indefinitely.

The World Conservation Strategy and its national equivalents had little impact and few people have even heard of them. However in the mid-1980s the World Commission on Environment and Development rejuvenated the concept in its report *Our Common Future*, (also referred to as the Brundtland Report). In October 1987, the goal of sustainable development was largely accepted by the governments of one hundred nations and approved in the UN General Assembly. The commission defined sustainable development as: “development that meets the needs of the present without compromising the ability of future generations to meet their own needs”.<sup>v</sup>

Earlier environmentalists had used the term ‘sustainability’ to refer to systems in equilibrium: they argued that exponential growth was not sustainable, in the sense that it could not be continued forever because the planet was finite and there were limits to growth. ‘Sustainable development’ however sought to make economic growth limitless by making it ‘sustainable’, mainly through technological change.

The language of sustainable development was clearly aimed at replacing protest and conflict with consensus by asserting that economic and environmental goals are compatible. For more conservative environmentalists and for economists, politicians, business people and others, the concept of sustainable development offered the opportunity to overcome previous differences and conflicts, and to work together towards achieving common goals rather than confronting each other over whether economic growth should be encouraged or discouraged. Instead of being the villains, as they were in the 1970s, technology and industry were now expected to provide the solutions to environmental problems.

Sustainable development, as an attempt at conflict resolution, spawned a number of consensus decision-making processes including Round Tables on Environment and Economy in Canada, the President’s Council on Sustainable Development in the USA and the Ecologically Sustainable Development Working Groups in Australia. These processes involved bringing together the various interest groups or stakeholders to reach a consensus about how sustainable development should be achieved and how business interests, economic interests and environmental protection could be reconciled.

Political conflict over unavoidable trade-offs was perceived as unproductive, and consensus could be achieved only if a proper process was designed to allow the competing stakeholders an opportunity to communicate with each other.<sup>vi</sup>

Although sustainable development represents a departure from the previous government view of environmental management that dealt in an ad hoc way with the most obvious environmental problems after they occurred,<sup>vii</sup> sustainable development nevertheless seeks measures that do not interfere unduly with business activity. It does not include a cultural critique of modern society nor of industrial progress, consumption or limitless economic growth.<sup>viii</sup> Rather it incorporates meanings and assumptions which legitimise rather than challenge the existing capitalist order (see box below).

#### **ASSUMPTIONS OF SUSTAINABLE DEVELOPMENT DISCOURSE<sup>ix</sup>**

1. Environmental protection and economic growth are compatible. This means that modern capitalism is compatible with environmental protection.
2. Intergenerational equity is about ensuring future generations can meet their needs, which are vaguely defined and can be interpreted as economic needs.
3. A major contributor to environmental decline is poverty in developing countries, to be dealt with through more economic growth and free trade, rather than questioning distribution issues and affluent lifestyles.
4. Technological and scientific progress can solve most environmental problems, including potential biophysical limits of economic and population growth, so there is no need for radical social and political change.
5. The environment needs to be managed for its use/utilitarian value, as opposed to saved for its intrinsic value – it is a system of resources that need to be looked after.

Sustainable development discourse takes place within a coalition which includes policy makers from national governments and international development and financial organizations; professionals in the area of environmental science, engineering, law, and management; and most mainstream environmental groups. A discourse-coalition does not necessarily share goals, values and interests but it does share concepts and terms, that is, a discourse.<sup>x</sup>

#### **ENVIRONMENTAL ECONOMICS DISCOURSE**

The sustainable development discourse was soon colonised by environmental economists. Neoclassical economists have long argued that the “most effective means of dealing with environmental problems is to subject them to the discipline of the market mechanism.”<sup>xi</sup> They argue that environmental degradation has resulted from the failure of the market system to put any value on the environment, even though the environment does serve economic functions and does provide economic and other

benefits. Some environmental resources—such as timber, fish and minerals—are bought and sold in the market but their price usually does not reflect the true cost of obtaining them because the damage to the environment has not been included. Other environmental resources such as clean air are not given a price at all and are therefore viewed by businesses as free.

These economists argue that environmental assets tend to be overused or abused because they are too cheap. Their solution is to create a pricing mechanism so that environmental values are internalised by businesses that harm the environment. The extra costs involved in price-based economic instruments such as charges, taxes and subsidies are supposed to provide an incentive to change environmental damaging behaviour. Such pricing mechanisms are also supposed to prevent depletion of natural resources. John Hood, a visiting fellow at the Heritage Foundation and Vice-President of the John Locke Foundation, maintains:

For natural resources over which property rights are relatively easy to establish, such as oil, minerals, or timber, prices serve as an early warning signal to companies about scarcity. If the price is rising, that suggests more demand for the resources than can be met by available supply. Companies then have a financial incentive either to find new supplies or to reduce its need by developing alternatives or ferreting out waste. This market process amounts to a sort of ongoing environmental research project seeking an answer to this question: What is the most efficient and least resource-depleting method of producing the goods and services people need?<sup>xii</sup>

Some think tank economists also argue that there is little incentive to protect environmental resources that are not privately owned. So economists and free market think tanks came up with creative ways to artificially create property rights to the air and the waters. Rights-based economic instruments such as tradeable pollution rights, for example, “create rights to use environmental resources, or to pollute the environment, up to a pre-determined limit” and allow these rights to be traded.<sup>xiii</sup> Rights-based measures are also a way of providing a pricing mechanism for environmental resources.

While legislation is aimed at directly changing the behaviour of polluters by outlawing or limiting certain practices, market-based policies let the polluters decide whether to pollute or not. Polluters are not told what to do; rather, they find it expensive to continue in their old practices and they have a choice about how and whether they change those practices.

#### **ASSUMPTIONS OF ENVIRONMENTAL ECONOMICS DISCOURSE<sup>xiv</sup>**

1. Not only is environmental protection compatible with economic growth but economic growth is necessary for environmental protection.
2. The environment can assimilate a certain degree of pollution and that assimilative capacity can be predicted reasonably safely.
3. Sustainable development can be achieved by incorporating environmental assets into the economic system; internalising environmental externalities into business accounting.

4. The market is the best and most efficient way of allocating scarce environmental resources. Therefore putting a price on the environment will help protect it.
5. When environmental resources are priced and environmental damage internalised, businesses can continue to base their decisions on economic considerations, that is, markets together with the profit motive can be harnessed for environmental protection.
6. Most losses of environmental amenity can be replaced by wealth creation.

Governments have traditionally favoured legislative instruments over economic instruments for achieving environmental policy. Economic instruments were thought to be too indirect and uncertain (aimed at altering conditions in which decisions are made rather than directly prescribing decisions). Governments were also concerned that additional charges would fuel inflation and might have the undesirable distributional effect of most severely hitting low-income groups. They have been concerned that the public might see charges as giving companies a 'right to pollute' which they had paid for.

Similarly, businesses have preferred direct regulation because of concerns that charges would increase their costs, and also because of perceptions that they would be able to have more influence on legislation through negotiation and delay. However the threat of a new wave of environmental regulations in the early 1990s caused businesses to rethink this preference. Also business groups, think tanks and economists were heavily influenced by the resurgence of economic fundamentalism during the 1980s and the trend towards increasing deregulation and privatisation in Western capitalist economies.

The influence of economic fundamentalism on environmental discourse and policy has manifest in different ways in different countries. In Australia, the infiltration and domination of the Canberra bureaucracy by economic rationalists pushing neoclassical economic solutions influenced the framing of sustainable development policy.<sup>xv</sup> In Britain, economists such as David Pearce were particularly influential in the sustainable development debate. In the United States corporate-funded think tanks have been influential. Although economists have long advocated economic instruments for environmental regulation, their popularity today owes much to the work of these think tanks, who have effectively marketed and disseminated these policies.

Conservative think tanks in various nations have consistently opposed government regulation and promoted the virtues of a 'free' market unconstrained by a burden of red tape. Think tanks sought to discredit environmental legislation, giving it the pejorative label 'command and control', and highlighting its deficiencies and ineffectiveness. The market solutions being advocated by conservative think tanks provided corporations and private firms with an alternative to restrictive legislation and the rhetoric to make the argument against that legislation in terms that were not obviously self-interested.

Think tanks recommended using the market to allocate scarce environmental resources such as wilderness and clean air and replacing legislation with voluntary

industry agreements, reinforced or newly created property rights and economic instruments. The idea is to incorporate the commons into the market system through the use of economic instruments and the creation of artificial property rights. The Washington-based Cato Institute, for example, states that one of its main focuses in the area of natural resources is “dismantling the morass of centralized command-and-control environmental regulation and substituting in its place market-oriented regulatory structures...”<sup>xvi</sup>

According to Heritage Foundation’s policy analyst, John Shanahan, the free market is a conservation mechanism. He urged the use of markets and property rights “where possible to distribute environmental ‘goods’ efficiently and equitably” rather than legislation arguing that “the longer the list of environmental regulations, the longer the unemployment lines.”<sup>xvii</sup>

Think tanks have popularised and promoted the work of neoclassically-oriented environmental economists and many of the leading scholars in this area are associated with think tanks, including one of the foremost proponent’s of tradeable pollution rights, Robert Hahn, a resident scholar of the American Enterprise Institute; Terry Anderson, a senior associate of the San Francisco-based Pacific Research Institute for Public Policy; the US, Robert Stavins and Bradley Whitehead, authors of a Progressive Policy Institute study; Alan Moran, from the Australasian Tasman Institute; and Walter Block from Canada’s Fraser Institute.<sup>xviii</sup>

The free market environmentalism promoted by these think tank economists emphasises the importance of market processes in determining optimal amounts of resource use. Anderson and Leal argue that the political process is inefficient, that is it doesn’t reach the optimal level of pollution where costs are minimised:

If markets produce “too little” clean water because dischargers do not have to pay for its use, then political solutions are equally likely to produce “too much” clean water because those who enjoy the benefits do not pay the cost... Just as pollution externalities can generate too much dirty air, political externalities can generate too much water storage, clear-cutting, wilderness, or water quality.<sup>xix</sup>

The changing consensus wrought by conservatives has meant that economic instruments, once associated with market economists and conservative bureaucrats, have now been widely accepted. The influence of think tanks and neoclassical economists has been so pervasive that the rhetoric of free-market environmentalism is no longer confined to conservative governments. Clinton said in 1992, prior to becoming President, that he believed it was “time for a new era in environmental protection which used the market to help us get our environment on track - to recognize that Adam Smith’s invisible hand can have a green thumb...”<sup>xx</sup>

Government sustainable development policies today embrace the environmental economics discourse. They aim to incorporate environmental assets into the economic system to ensure the sustainability of the economic system. They incorporate the idea that wealth creation can substitute for the loss of environmental amenity; that putting a price on the environment will help us protect it unless degrading it is more profitable; that businesses should base their decisions about polluting behaviour on economic considerations and the quest for profit; that economic growth is necessary for environmental protection and therefore should take priority over it.

Such thinking has spread throughout the world. In 1991 the OECD issued guidelines for applying economic instruments and an Economic Incentives Task force was established by the US EPA “to identify new areas in which to apply market-based approaches”.<sup>xxi</sup> Similar units have been established in regulatory agencies in other countries. At the Earth Summit in Rio in 1992 business groups pushed for the wider use of economic instruments in conjunction with self-regulation.<sup>xxii</sup> As a result the assumptions and language of neoclassical economists in this Environmental Economics Discourse is found clearly in Agenda 21, the Action Plan for Sustainable Development, signed by over 100 nations at the Earth Summit.

## **ENVIRONMENTAL MANAGEMENT DISCOURSE**

Just as governments have had to accommodate environmental concerns into their discourse and their governance, so have businesses. In various business meetings during the 1970s corporate executives lamented their decline in influence: “The truth is that we’ve been clobbered” the chief executive officer of General Motors told chiefs from other corporations. Throughout the 1970s US corporations became politically active, getting together to support a conservative, non-interventionist, economic agenda<sup>xxiii</sup> and financing a vast public relations effort aimed at regaining public trust in corporate responsibility and freedom from government regulation.

For business, the turbulence of change was a nightmare of new regulations and increasingly vocal interest groups that needed pandering to. The rules of the game had changed, and new ways had to be found to at once get what one needed from government, shout down the opposition, and harness the power of interest groups for one’s own benefit through persuasion.<sup>xxiv</sup>

In response to government regulations, brought on by the activities of environmentalists and public interest groups, businesses began to cooperate with each other in a way that was unprecedented, building coalitions and alliances and putting aside competitive rivalries. They joined local, national and international business coalitions and alliances.

Corporations managed to achieve a virtual moratorium on new environmental legislation in many countries throughout the late 1970s and most of the 1980s. However, towards the end of the 1980s when public concern about the environment rose again business groups had to find ways of accommodating environmental concerns. Corporate funds poured into anti-environmentalist causes such as the Wise Use Movement (see below) and a range of front groups. They contributed to the coffers of neo-conservative think tanks pushing neoliberalism and market solutions to environmental problems (discussed earlier). And they employed battalions of public relations experts to show how they were now socially and environmentally responsible.

The relatively new field of environmental management bloomed. Like sustainable development and environmental economics discourses, environmental management incorporates assumptions that assume that business goals can be in harmony with environmental goals (see Environmental Management Discourse in box below).



#### **ASSUMPTIONS OF ENVIRONMENTAL MANAGEMENT DISCOURSE<sup>xxv</sup>**

1. The environment should be managed, controlled and dominated by humans for the long-term use of humans.
2. Environmental management should be carried out by corporate managers who are generally well-meaning and have the knowledge and resources to provide a stewardship role on behalf of corporate stakeholders.
3. Environmental protection and economic growth are compatible so that environmental management is about finding win-win solutions. This means there is little need for regulation of firms, and markets together with the profit motive can be harnessed for environmental protection.
4. Traditional management tools can be utilised and extended, for example, total quality management and accounting methods extended to triple bottom line and life cycle analysis.

Environmental management accommodates the environmental challenge by dealing with the worst instances of environmental degradation and, at the same time, utilises a discourse aimed at “deflecting the demands for more radical change”. It is therefore aimed at political sustainability rather than environmental sustainability.<sup>xxvi</sup>

Of course there are other related discourses associated with environmental management including those of triple bottom line accounting, stakeholder engagement, risk management and assessment, and green consumerism, which generally share the assumptions shown in the box above. For example triple bottom line accounting seeks to incorporate environmental considerations into company management strategies. In a business context risk management and assessment refers to the risks to the company rather than risks to the environment and considers ways that the environment can be accommodated and managed to reduce such risks.

As a form of political sustainability, environmental management necessarily requires the “management of environmentalists” and other stakeholders too which requires stakeholder engagement. As part of this many businesses have attempted to bring environmentalists into its discourse coalition using various means including donations to environmental groups and causes, joint projects and partnerships, employment and consultancies for individuals.<sup>xxvii</sup>

#### **WISE USE MOVEMENT DISCOURSE.**

The Wise Use Movement got its name from a Gifford Pinchot saying that “conservation is the wise use of resources”. Pinchot, an early 20th Century conservationist and head of the US Forest Service, argued for the ‘wise use’ of natural resources and promoted principles of multiple use, scientific management and sustained yield. Pinchot clearly embraced the environmental management discourse. For him natural resources, like time and money, were limited and therefore should be used wisely. This was in contrast to his friend, preservationist John Muir, who founded the Sierra Club. Muir didn’t view nature as something to be used, rather he held nature as sacred, having inherent value outside of its commercial potential. The

two men parted ways over plans to flood the scenic Hetch Hetchy Valley to supply water and electricity to San Francisco. For Pinchot the scheme was a wise use, for Muir it was sacrilege.<sup>xxviii</sup>

The US-based Wise Use Movement is stage-managed by Ron Arnold and Alan Gottlieb from their base at the Center for the Defense of Free Enterprise, a non-profit ‘educational’ foundation “devoted to protecting the freedom of Americans to enter the marketplace of commerce and the marketplace of ideas without undue government restriction”. There is no formal structure for the movement and cohesion comes from shared enemies (environmentalists) and a few key leaders. Says Arnold, “We provide the Jello mold...The rest of the movement fills it.” He sees himself as the Wise Use Movement’s thinker and philosopher.<sup>xxix</sup>

Arnold and Gottlieb formed the Wise Use Movement in 1988 by organising a conference for this purpose. The 250 groups attending the conference included the American Mining Congress, the National Rifle Association, the American Motorcyclists Association and the National Cattlemen’s Association, as well as corporations such as DuPont, Macmillan Bloedel, Louisiana-Pacific, Georgia Pacific and Weyerhaeuser. The conference was co-sponsored by groups such as the National Association of Manufacturers, the United 4-Wheel Drive Association, the Independent Petroleum Association of America, the National Forest Products Association, the American Sheep Industry, Exxon USA and the American Pulpwood Association. Canadian groups attending included the Council of Forest Industries, MacMillan Bloedel, Carriboo Lumber Manufacturers Association, and the Mining Association of British Columbia.<sup>xxx</sup>

The Wise Use Movement was a broad ranging, loose-knit, coalition of hundreds of groups in the United States which promote a conservative agenda. Many groups within the movement received substantial industry funding and support but the movement preferred to portray itself as a mainstream citizens movement. Indeed its extended membership included farmers, miners, loggers, hunters and land-owners as well as corporate front groups. Local versions of the wise use movement emerged in countries such as Canada and Australia, but they have not had the same impact as the wise use movement has had in the US.

There was a wide diversity within the Wise Use Movement but members shared a dislike of environmental regulations which affected parts of the movement in various ways; by constraining what they could do on private property and how they could use public land and water. Ralph Maughan and Douglas Nilson, academics from Idaho State University, argued that the Wise Use agenda stemmed from an ideology that combined laissez-faire capitalism with “cultural characteristics of an imagined Old West”<sup>xxxii</sup> (see box below).

**ASSUMPTIONS OF WISE USE DISCOURSE<sup>xxxii</sup>**

1. Human worth should be measured in terms productivity and wealth. Status and power are a reward for hard work.
2. Nature is there for the use of humans.

3. Real wealth derives from extracting and adding value to primary material resources.
4. “Productive lands and waters should be owned (or at least controlled) and tamed by producers. Regulations should be kept to an absolute minimum.”
5. Free markets benefit both producers and consumers and constraints on these free markets should be eliminated.
6. Depletion of energy and mineral resources is not the problem that environmentalists make it out to be.
7. Government’s role is to protect property and property rights.
8. The quintessential Western person is self reliant, male, and tough.

The term “wise use” covers two main types of groups;

- (i) those who advocate opening up of public lands for logging, mining and cattle as well as off-road vehicles and motorcycles and
- (ii) those who lobby against any restriction of use of private lands—property rights advocates.<sup>xxxiii</sup>

Wise use groups in the west of the USA have been dominated by “western ranchers, corporate farmers, and business people whose margin of profit is directly threatened by any fee increases on grazing, water reclamation, and other uses of public lands”.<sup>xxxiv</sup> Meanwhile Wise Use groups in the east also took up the theme of private property rights and their protection. They argued that environmental regulations impeded their ability to develop their land in the way they wanted. Arnold and Gottleib argued that private property rights are sacred. They claimed that the environment movement was “actively destroying private property rights on a massive scale” through preventing people from using their land.<sup>xxxv</sup>

Whilst the Wise Use Movement was essentially anti-environmentalist they liked to portray themselves as the ‘real’ environmentalists and their discourse of multiple-use of land and the sanctity of property rights suited corporate interests and became part of the establishment environmental discourse.

## **ESTABLISHMENT ENVIRONMENTAL DISCOURSE**

Although environmentalists set the agenda and were primary shapers of the discourse of early environmental debates, that is no longer the case. The discourses of conservationism, political ecology and deep ecology have little impact in today’s public discourse on the environment.<sup>xxxvi</sup> Even more mainstream policy discourses, such as that associated with the precautionary principle, play little role outside of policy documents. Rather, established environmental groups have adopted many elements of discourses outlined above.

Common to all of these environmental discourses that emerged during the 1980s are more generic, overlapping discourses:

## COMMON DISCOURSES OF MAINSTREAM MODERN ENVIRONMENTALISM

A NEOLIBERAL DISCOURSE where market mechanisms are seen as preferable to government action; property rights are sacrosanct; the environment is an asset that needs to be appropriately valued/priced; decisions are based on an analysis of costs and benefits; and competition, efficiency, individualism, and private enterprise are essential to achieving environmental protection whilst ensuring economic growth.<sup>xxxvii</sup>

A DISCOURSE OF ECOLOGICAL MODERNISATION, where technological and scientific knowledge and efficient expert management of resources are seen as the key to solving environmental problems and ameliorating the impacts of economic growth and capitalism. The technological solutions proposed are those that can be undertaken without too much disruption, risk and cost. They tend to be incremental rather than radical. In this discourse 'conservation' involves the control and domination of nature. It is anthropocentric and instrumental rather than ecocentric and ethical. It assumes that environmental and economic interests are compatible and that major environmental problems can be solved within the current industrial/economic development trajectory without radical social or political change.<sup>xxxviii</sup>

In fact many environmentalists have been persuaded by the rhetoric of free market environmentalism. They have accepted the conservative definition of the problem, that environmental degradation results from a failure of the market to attach a price to environmental goods and services, and the argument that these instruments will work better than outdated 'command-and-control' type regulations.<sup>xxxix</sup> The US Environmental Defense Fund has been at the forefront of the push for tradeable pollution rights and the Natural Resources Defense Council has also supported them. The Australian Conservation Foundation (ACF) hired economists to enable them to talk the language of neoclassical economics in their negotiations with government over sustainable development policies. And as we will see below, the Nature Conservancy promotes many elements of the Wise Use, Environmental Management and Environmental Economics discourses.

Many environmentalists have willingly accepted that "all possible instruments at our disposal should be considered on their merits in achieving our policy objectives, without either ideological or neoclassically-inspired theoretical judgement."<sup>xl</sup> In fact the ideological and political shaping of these instruments has been hidden behind a mask of neutrality. Stavins and Whitehead have argued that "Market-based environmental policies that focus on the means of achieving policy goals are largely neutral with respect to the selected goals and provide cost-effective methods for reaching those goals."<sup>xli</sup> Yet the preference for market solutions is obviously an ideologically based one:

Its first pillar comes squarely out of a philosophical tradition that grew from Adam Smith's notion that individual pursuit of self-interest would, in a regime of competitive markets, maximise the social good. That tradition is so firmly embedded in economics by now that most economists probably do

not realize, unless they venture out into the world of noneconomists, that it is a proposition of moral philosophy...<sup>xlii</sup>

The promotion of market-based instruments is viewed by many of its advocates as a way of resurrecting the role of the market in the face of environmental failure. Given the workings of the market in reality, and the well-elaborated imperfections and problems associated with it, what is surprising is that neoclassical economics has not only dominated environmental economics but has also increasingly dominated the whole public discussion of sustainable development. In the name of free market environmentalism, conservative think tanks have enabled the conservative, corporate agenda of deregulation, privatisation and an unconstrained market to be dressed up as an environmental virtue.

This adoption of mainstream discourse by environmentalists can be explained in various ways:

- ***Institutionalisation*** – As advocacy groups grow they become more professionalised, bureaucratic, centralised and moderate. They hire people on the basis of their professional skills and qualifications (in terms of management, fund raising, public relations etc) rather than their commitment to the environmental cause. Their discourse becomes more aligned with professional environmental bureaucrats in government and business.<sup>xliii</sup>
- ***Strategy*** – Environmentalists feel that they have to adopt these discourses in order to be taken seriously in the policy arena and to have a voice in the public debate.<sup>xliv</sup> In particular, participation in consensus processes, such as round tables and working groups require the adoption of common discourse.
- ***Cooption and Marginalisation*** – Some environmentalists are coopted into the dominant discourse coalition and others who cannot be coopted are marginalised.<sup>xlvi</sup>

Although many mainstream environmental groups have joined the dominant discourse coalition, many environmental and anti-globalisation activists, environmental justice groups and resident action groups have not. And those that have joined still retain some of the rhetoric of deep ecology and ecocentrism as they attempt to bridge their various constituencies. The development of the environmental justice movement means that a “populist discourse” which portrays “global capitalism, transnational corporations and colonial powers as villains” also has some currency and is in fact gaining renewed vigour from the growing anti-globalisation movement.<sup>xlvi</sup>

Nevertheless some of the most established and successful environmental organizations in the world have indeed joined the dominant discourse coalition. And some, like The Nature Conservancy (TNC), consciously promote its values.

## **CASE STUDY - THE NATURE CONSERVANCY**

In terms of size and wealth, TNC seems to be the most successful environmental organisation in the world. It has 3,200 employees in 528 offices across the US and in 30 countries.<sup>xlvii</sup> In 2002, the total revenue for TNC was close to a billion dollars (up

from \$547 million in 2001). This included over \$655 million from donations (\$225 million from corporations), grants and dues, \$105 million from government consulting fees and other payments, and another \$182 million from sales of land. Its total assets including nature preserves are now valued at over \$3 billion. It is US-based but operates all over the world, particularly in Latin America, the Caribbean and Asia/Pacific.<sup>xlvi</sup> It claims to have ‘protected more than 14 million acres in the United States, and an additional 80 million acres worldwide’.<sup>xlvi</sup>

TNC protects areas by purchasing them and then exercising its property rights, which may include managing the area or trading it for another area that needs preserving. In recent years, “more stress is being put on techniques that keep land in private ownership, such as conservation easements, leases, and cooperative agreements”.<sup>1</sup> An example is an agreement with forestry corporation Georgia-Pacific to jointly manage 21,000 acres of hardwood forest in North Carolina. In return for a Georgia Pacific’s promise to conserve 6,000 acres of land along a river, TNC helps manage its timberlands in the area.<sup>li</sup>

TNC relies on corporate donations and individual subscriptions just as the Wise Use Movement does and they have many corporate donors in common. TNC’s 1900 corporate sponsors include ARCO, BHP, BP, Chevron, Chrysler, Coca-Cola, Dow Chemical, DuPont, General Electric, General Mills, General Motors, Georgia-Pacific, McDonalds, Mobil, NBC, Pepsi-Cola, Procter and Gamble, Toyota, and Pfizer. Each state chapter has a Corporate Council for the Environment made up of corporate associates. Some of these companies, including Monsanto, make up TNC’s International Leadership Council.<sup>lii</sup> And on occasion corporations lend executives to TNC as in the case of Georgia Power which loaned Gordon Van Mol, for its External Affairs Department to be a member of TNC’s development team for a year.<sup>liii</sup>

In return for corporate support TNC promises corporate donors publicity as corporations that care about the environment. For example the Indiana branch offers members of its Corporate Council for the Environment the opportunity to be listed on stationary, named in advertisements in magazines and newspapers across Indiana, and mentioned by radio stations, as well as listed in the TNC Annual Report.<sup>liv</sup> Corporations hope that such donations and the accompanying publicity will improve their reputation with the community and consumers and consequently ‘translate into greater shareholder value.’<sup>lv</sup>

## **Neoliberal Discourse**

TNC’s market-based approach to conservation helps to promote property rights and free enterprise as well as provide PR to individual companies. Rather than lobbying the government to implement regulations to ensure the environment is protected, or highlighting the activities of those same corporations in degrading the environment, TNC uses the market to purchase the land it wants to protect. According to former CEO John Sawhill:

We have made a conscious strategic decision to rely on individual donors and not become too heavily dependent on government, because we want to be clearly identified as a private organization, one that is financed privately and uses free-market techniques. We think of ourselves as Adam Smith with a green thumb.<sup>lvi</sup>

TNC is conscious of its role in providing environmentalist support for the free market cause. It calls itself 'Nature's real estate agent' and indeed it has traditionally employed real estate agents in its top ranks.<sup>lvii</sup> For example former TNC president Bill Blair had been a deputy assistant secretary in the State Department and chairman of a real estate agency. Sawhill used the language of free-market advocates in talking about TNC's 'market-oriented strategy' and 'conservation through private action'.<sup>lviii</sup>

TNC helps property-rights advocates not only by demonstrating that property rights can be used to protect the environment, but also by championing an approach that doesn't reduce the rights of the property owner to do what they want with their property. An executive from Consolidation Coal Company, which had donated 8000 city acres to TNC worth tens of millions of dollars, said of TNC: "They acquire land for, I believe, a very good purpose, but do so within the framework of the free-market system. They do not seek to change the law or public opinion so as to deprive individuals or businesses of their just property rights."<sup>lix</sup>

TNC provides a useful example to free-market advocates in their arguments for market-based solutions to environmental problems.<sup>lx</sup> It represents the free enterprise, corporate autonomy, and small government agenda of a conservative think tank but with the bonus that they have sound environmental credentials. In an article on TNC in the business magazine *Forbes*, Morgenson and Eisenstodt claim that self interest can be used to protect the environment: "Instead of seeking to curb the profit motive and freedom of individual choice, we would do well to stimulate them both in ways that let the free market reconcile the industrial revolution with the age of environmentalism".<sup>lxi</sup>

Conservative think tanks have sought to have the conservative, corporate agenda of deregulation, privatisation and an unconstrained market dressed up as an environmental virtue. TNC is a great example for them. For example, Terry Anderson argues that the fight between loggers and environmentalists over government-owned forested areas should be solved by putting them up for auction. Environmentalists could bid against timber companies, and in this way environmentalists would have to face up to the costs of conservation. He gives TNC as a precedent for this type of activity.<sup>lxii</sup> The Heritage Foundation also cites TNC, along with US Ducks Unlimited and National Wild Turkey Federation (both organisations primarily made up of hunters who protect habitat in order to have enough birds to kill), as a good example of how private cooperative efforts are protecting the environment.<sup>lxiii</sup>

*Realty Times*, in an article headlined 'Nature Conservancy Conserves the Right Way', argued that 'the good news is that reasonable environmentalism and the rights of property owners can co-exist... rather than tell other people what to do with their land, the Conservancy has a better idea...' Stroup and Shaw argue that the 'beauty of such private efforts is that people who do not care for ducks or egrets need not pay for their upkeep, as taxpayers do when the government is in control'.<sup>lxiv</sup>

Organisations such as the Center for Private Conservation (CPC) argue that environmental groups who call for the creation of national parks are asking others to pay the price of what they want and their unwillingness to use their own money for this purpose shows that they shouldn't be taken seriously.<sup>lxv</sup> TNC however uses the market rather than the political process and this is where, according to free-market proponents, environmental choices should be exercised:

For those who don't like chemicals, more and more stores are offering organic pesticide-free produce, and even Wonder Bread is made with unbleached flour and no preservatives. Vegetarians and meat-eaters shop side-by-side with no rancor....Milk, for example, is sold as whipping cream, half-and-half, whole, 2 percent, 1 percent, nonfat, powdered, and evaporated milk, and is also made into many varieties of yogurt, ice cream, and cheese. Yet you never see anyone chaining themselves to the milk counter demanding more ice cream or suing a dairy to force it to make cheese instead of yogurt.<sup>lxvi</sup>

## **Ecological Modernist Discourse**

The private market strategies engaged by TNC clearly fit within ecological modernist discourse. They deflect attention away from arguments that we are facing a 'socio-economic crisis' and suggest that all that is required to protect the environment is good management by private owners; that major environmental problems can be solved within the current industrial/economic development trajectory without radical social or political change.

TNC seeks out win-win solutions that ensure economic growth and environmental protection are compatible so that there is no need for regulation of firms, and markets—together with the profit motive—can be harnessed for environmental protection. It finds this approach is attractive to donors because it means that it does not advocate social change or sue those who don't obey environmental laws or draw media attention to environmental problems. TNC will accept donations from any company no matter what their record on the environment, no questions asked. What is more TNC is a safe vehicle to invest in because it will not turn around and expose a corporation's dirty record or damaging activities: rather it aims 'to forge strong productive partnerships based on mutual benefit and trust'.<sup>lxvii</sup>

Whilst TNC seeks to preserve areas of forest, for example, it does not publicly speak out against practices such as clear-cutting. It preserves areas of land for grizzly bears but it does not oppose hunting or developments that endanger those bears and destroy their habitat.<sup>lxviii</sup> Hunting is even allowed on some of TNC's own land and TNC officers acquiring land may go hunting with potential donors as part of the negotiation process.

TNC takes a narrow reductionist/managerialist approach to conservation. It embraces a form of managerialism that views the environment as something to be managed rather than conserved or saved. Management is best undertaken by managers who supposedly have the knowledge and resources to provide a stewardship role.<sup>lxix</sup> TNC's approach is anthropocentric and instrumental rather than ecocentric and ethical as is clear in Sawhill's statements:

Some people at the Conservancy think our customers are the plants and animals we're trying to save, but our real customers are the donors who buy our product, and that product is protected landscapes... They like the fact that we use private-sector techniques to achieve our objectives, that we protect the environment the old-fashioned way: we buy it.<sup>lxx</sup>

(But, in fact, the old-fashioned way to protect the environment was for the commons to be protected collectively, not through purchase!)



Like the Wise Use Movement TNC takes a similar multiple-use, private property rights approach to conservation. The solution to environmental problems is not to halt environmentally damaging economic activity in sensitive ecosystems but to utilise technology, science and environmental management to enable economic activity to coexist with nature.

TNC works with loggers and ranchers to promote 'sustainable' forestry and grazing in conservation areas, thereby endorsing the concept of 'multiple use'. For example the Wyoming TNC has got together with the Montana Stock Growers Association and the Wyoming Stock Growers Association as well as the National Cattleman's Beef Association, Children for the West and others to produce a booklet for children entitled "Ranching for Nature" which "showcases grasslands and grazing animals—both domestic and wild."

Two TNC programs promote the idea of multiple use, more usually associated with the Wise Use Movement. One is the Last Great Places program which aims to "show that economic, recreational, and other development can be compatible with preserving nature."<sup>lxxi</sup> It integrates economic development such as farming, forestry and ranching with conservation. The other TNC program is the Center for Compatible Economic Development (CCED), established in 1995, to "provide a vehicle for multiplying these efforts on an international scale."<sup>lxxii</sup> CCED's home page is hosted by the Corporation for Enterprise Development (CFED). CFED's goal is to "create incentives and systems to encourage and assist all American individuals and families to acquire and hold assets".

Timber companies such as Weyerhaeuser and Georgia-Pacific are allowed to log on TNC preserves in several states.<sup>lxxiii</sup> "Nearly half of the 7 million acres that the conservancy said it is protecting in the United States is now being grazed, logged, farmed, drilled or put to work in some fashion. The money earned from such activities – about \$7 million this year".<sup>lxxiv</sup>

However the TNC argues that it is not promoting "working" landscapes for the money and indeed the \$7 million it earns from these activities represents less than one percent of the group's annual income. Rather TNC is concerned with providing examples of private, multiple-use conservation. In some cases it is even paying ranchers and farmers to continue working the land, but in a more environmentally sound way.<sup>lxxv</sup>

Morgenson and Eisenstodt claim that since TNC allows oil drilling and other corporate activities to take place on its land, it proves that "commercial and environmental interests can coexist". They give the example of the Welder Wildlife Foundation in Texas where 7,800 acres incorporate an active oilfield and a cattle ranch which help to finance the wildlife management.<sup>lxxvi</sup>

## **COMPROMISE AND CRITICISM**

TNC's partnerships with forestry and paper companies and ranchers have led to criticisms that TNC is too ready to compromise environmental values. Whilst environmental groups have been lobbying for national parks in New England, TNC has done deals with a number of paper companies involving almost a million acres of

forests in Maine and New Hampshire.<sup>lxxvii</sup> Most of the land involved in the various deals continues to be logged, although TNC claims that ‘sustainable’ forestry is being practiced.<sup>lxxviii</sup> The forestry industry and many local people prefer such a solution because national parks would preclude forestry as well as restricting motorised access. However the easements that these deals incorporate to protect a portion of the land may be stopping development of the land but not protecting their wilderness values.

Jym St. Pierre, director of Restore in Maine, argues that: “These aren’t “forever wild” easements... Some people call them “forever logging” easements’ because the timber companies are replacing native forests with plantation style forests that feature monocultures and therefore biodiversity is not being protected.<sup>lxxix</sup> However TNC likes easements because they are cheaper than buying the land outright, the land does not have to be managed by TNC staff, it can continue ‘to contribute as an economic enterprise’ and the ‘private owner (rather than the state agency) takes on the responsibility for maintaining improvements.’<sup>lxxx</sup>

In one example of multiple use, Mobil Oil Corporation gave TNC an area of land where they had been drilling for oil because it was no longer productive enough for them. The land was significant because it was “the last known breeding ground on Earth for one of North America’s most endangered birds” – the Attwater prairie chicken. However TNC drilled new natural gas wells and grazed cattle on the area so as to make a healthy income from the land – over \$5 million between 1995 and 2002.<sup>lxxxi</sup> Spokesperson Niki McDaniel argued that TNC couldn’t overlook the opportunity to “raise significant sums of money for conservation... maybe it’s time we all took a walk in the oilman’s shoes”.<sup>lxxxii</sup>

The TNC argued that these activities would not harm the prairie chickens and called the area a “working” landscape where commerce and conservation could coexist harmoniously. However environmentalists disagreed arguing that it was the risk of accidents associated with the gas extraction and pipeline that threatened the prairie chickens and that it was such developments that had put the prairie chickens on the endangered lists in the first place.<sup>lxxxiii</sup> The number of prairie chickens did indeed decline to less than half the original number and the TNC’s Texas-based science director admitted in an internal report that TNC activities on the land had subjected the birds to a “higher probability of death”.<sup>lxxxiv</sup>

In 1999 its Arizona branch sided with the livestock industry in a coalition called the Arizona Common Ground Roundtable, ‘dedicated to helping save Arizona’s diminishing grasslands’. It called for more government subsidies to ranchers using public land and ‘reform’ of the Endangered Species Act (ESA). TNC defended this position by arguing that the laws were forcing ranchers to sell their private land for housing subdivisions and other developments that would fragment the grasslands and open spaces.<sup>lxxxv</sup> The Roundtable was held up as a prime example of environmental conflict resolution with TNC arguing: ‘Americans are tired of hearing about confrontations in the environmental area. They would prefer organizations with environmental goals utilize the strengths of one another and work toward the common goal of environmental protection.’<sup>lxxxvi</sup>

Nevertheless 18 environmental groups put their opposition in writing to the TNC:

Preserving open space, however, is not the be-all and end-all of environmental protections. It is also absolutely necessary to preserve clean

water, recreational opportunities, wildlife habitat, and endangered species.<sup>lxxxvii</sup>

The groups argued that the ESA was not causing extra costs to ranchers although ranchers often blamed it for their troubles. However grazing was causing declining water quality, damaging ecosystems and endangering species. They pointed to a study done in partnership with TNC scientists that found that livestock grazing threatened a third of all species listed as endangered by the US Fish & Wildlife Service, the National Marine Fisheries Service, and TNC. It was only marginally behind development as a national threat and a Forest Service report found that in Arizona it was the main threat to species.<sup>lxxxviii</sup>

A former TNC science director, Jerry Freilich, also recognises that the pounding hooves of cattle degrade fragile environments and claims that in 2000 he was pressured and physically bullied by his boss at TNC to sign documents certifying that specific cattle ranches, which he had never visited, were environmentally sound. (He signed and subsequently resigned and made a complaint to the police. His complaint led to a settlement with TNC a year later.) All but three of the remaining 95 scientific staff at TNC headquarters were subsequently dispersed to branch offices or reassigned to a new organization that services TNC and sells TNC biological data.<sup>lxxxix</sup>

TNC even markets “Conservation Beef” with the message to consumers that their “purchase will help save the great Western landscapes for future generations”.<sup>xc</sup> Ranchers who raise the beef for this program have development restrictions on their grazing land and follow ‘stewardship plans’ that they have put together themselves based on guidelines provided by TNC. The Madison Valley Ranchlands group, made up of Montana ranchers, monitors the program.<sup>xcii</sup> This self-monitoring by vested interests does not engender confidence in the stewardship.

## CONCLUSION

The TNC is not a typical environmental group and some might say that it is more like an environmental business than a an environmental advocacy group. However it does represent the leading edge of a trend amongst the more institutionalised mainstream groups to embrace the dominant business-oriented environmental discourses. TNC is more aware and open than most groups about its acceptance of the assumptions and philosophies embedded in those discourses. However, other groups that still purport to be motivated by environmental ideals are also drifting towards uncritically accepting the same assumptions as they increasingly adopt elements of the neoliberal and ecological modernisation discourses.

The concept of ‘sustainability’, promoted by the environmentalists of the 1960s and 70s, is being replaced by a commodified, privatised, anthropocentric, utilitarian free market version of sustainable development.

Far from being a neutral tool, the promotion of market-based instruments is viewed by many of its advocates as a way of resurrecting the role of the market in the face of environmental failure. They claim that economic instruments provide a way that the power of the market can be harnessed to environmental goals. They serve a political purpose in that they reinforce the role of the ‘free market’ at a time when environmentalism most threatens it.

Market-based measures grant the highest decision-making power over environmental quality to those who currently make production decisions now. A market system gives power to those most able to pay. Corporations and firms rather than citizens or environmentalists will have the choice about whether to pollute (and pay the charges or buy credits to do so) or clean up. Tradeable pollution rights mean that permission to pollute is auctioned to the highest bidder.<sup>xcii</sup> Very polluting or dirty industries can stay in business if they can afford the pollution charges or can buy up credits. In this way, companies can choose whether or not to change production processes, introduce innovations to reduce their emissions or just pay to continue polluting.

Yet the market, far from being free or operating efficiently to allocate resources in the interests of a globalising society, is dominated by a relatively small group of large multinational corporations which aim to maximise their private profit by exploiting nature and human resources.

Groups like TNC which embrace the neoliberal and ecological modernisation discourses are not only ignoring the power and equity dimensions of current social institutions and capitalist culture but are endorsing and facilitating them. They are granting legitimacy to the primacy of the profit motive and property rights thereby compromising environmental protection and the long-term future of the planet. They are denying the essential conflicts and contradictions between economic growth and environmental protection. They are also party to the marginalisation of those environmentalists who seek the ethical, political and social changes necessary to preserve rather than manage the environment.

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