

We need a new law to protect our wildlife from critical decline

George Monbiot

The Nature and Wellbeing Act could do for the natural world what the Climate Change Act did for curbing emissions - provide a crucial safeguard against attacks by industries and corporate politicians on environmental regulations



In the past 40 years the world has lost over 50% of its vertebrate wildlife, yet governments continue to scrap regulations intended to protect the environment. Photograph: Mike Hewitt/Getty Images

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One of the fears of those who seek to defend the natural world is that people won't act until it is too late. Only when disasters strike will we understand how much damage we have done, and what the consequences might be.

I have some bad news: it's worse than that.

For his fascinating and transformative book, *Don't Even Think About It*: why our brains are wired to ignore climate change, George Marshall visited Bastrop in Texas, which had suffered from a record drought followed by a record wildfire, and Sea Bright in New Jersey, which was devastated by Hurricane Sandy. These disasters are likely to have been caused or exacerbated by climate change.

He interviewed plenty of people in both places, and in neither case - Republican Texas or Democratic New Jersey - could he find anyone who could recall a conversation about climate change as a potential cause of the catastrophe they had suffered. It simply had not arisen.

The editor of the Bastrop Advertiser told him: "Sure, if climate change had a direct impact on us, we would definitely bring it in, but we are more centred around Bastrop County." The mayor of Sea Bright told him: "We just want to go home, and we will deal with all that lofty stuff some other day." Marshall found that when people are dealing with the damage and rebuilding their lives they are even less inclined than they might otherwise be to talk about

the underlying issues.

In his lectures, he makes another important point that - in retrospect - also seems obvious: people often react to crises in perverse and destructive ways. For example, immigrants, Jews, old women and other scapegoats have been blamed for scores of disasters they did not create. And sometimes people respond with behaviour that makes the disaster even worse: think, for instance, of the swing to Ukip, a party run by a former banker and funded by a gruesome collection of tycoons and financiers, in response to an economic crisis caused by the banks.

I have seen many examples of this reactive denial at work, and I wonder now whether we are encountering another one.

The world's wild creatures are in crisis. In the past 40 years the world has lost over 50% of its vertebrate wildlife. Hardly anywhere is spared this catastrophe. In the UK, for example, 60% of the 3,000 species whose fate has been studied have declined over the past 50 years. Our living wonders, which have persisted for millions of years, are disappearing in the course of decades.

You might expect governments and officials, faced with a bonfire of this magnitude, to rush to the scene with water and douse it. Instead they have rushed to the scene with cans of petrol.

Critical to the protection of the natural world are regulations: laws which restrain certain activities for the greater public good. Legal restrictions on destruction and pollution are often the only things that stand between species and their extinction.

Industrial interests often hate these laws, as they restrict their profits. The corporate media denigrates and demonises the very concept of regulation. Much of the effort of those who fund political parties is to remove the regulations that protect us and the living planet. Politicians and officials who seek to defend regulation will be taken down, through campaigns of unrelenting viciousness in the media. Everywhere the message has been received.

The European commission has now ordered a "review" of the two main pillars of the protection of our wildlife: the Birds directive and the Habitats directive. It's likely to be the kind of review conducted by a large tracked vehicle with a steel ball on the end of a chain. The problem, the commission says, is that these directives could impede the "fitness" of business in Europe

But do they? Not even Edmund Stoiber, the conservative former president of Bavaria who was appointed by the commission to wage war on regulation, thinks so. He discovered that European environmental laws account for less than 1% of the costs of regulation to business: the lowest cost of any of the regulations he investigated. "However, businesses perceive the burden to be much higher in this area."

The UK chancellor, George Osborne, claimed in 2011 that wildlife regulations were placing ridiculous costs on business. But a review by the environment secretary, Caroline Spelman, concluded the claim was unfounded.

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In the UK, whose leading politicians, like those of Australia and Canada, appear to be little more than channels for corporate power, we are facing a full-spectrum assault on the laws protecting our living treasures.

The Small Business, Enterprise and Employment Bill, now passing through the House of Commons, would oblige future governments to keep deregulating on behalf of business, regardless of the cost to the rest of society. The government's Red Tape Challenge at first insisted that no new regulation could be introduced unless an existing one is scrapped. Now two must be scrapped in exchange for any new one.

Cameron's government has set up what it calls a "Star Chamber", composed of corporate executives and officials from the business department, before which other government departments must appear. They must justify, in front of the sector they regulate, any of the rules these business people don't like. If they are deemed insufficiently convincing, the rules are junked.

Usually, governments go to some lengths to disguise their intent, and to invent benign names for destructive policies. Not in this case. A Star Chamber perfectly captures the spirit of this enterprise. Here's how a website about the history of the Tudors describes the original version (my emphasis):

"The power of the court of Star Chamber grew considerably under the Stuarts, and by the time of Charles I it had become a **byword for misuse and abuse of power** by the king and his circle. ... Court sessions were held in secret, with **no right of appeal**, and **punishment was swift and severe to any enemy of the crown**. Charles I used the Court of Star Chamber as a **sort of Parliamentary substitute** during the years 1628-40, when he refused to call Parliament. Finally, in 1641 the Long Parliament abolished the hated Star Chamber, though its name survives still to designate **arbitrary, secretive proceedings in opposition to personal rights and liberty**."

Yes, that is exactly what we're looking at. I suspect the government gave its kangaroo court this name to signal its intent to its corporate funders: we are prepared to be perfectly unreasonable on your behalf, trampling justice, democracy and rational policy making to give you what you want. We are putting you in charge. So please keep funding us, and please, dear owners of the corporate press, don't destroy our chances of winning the next election by backing Ukip instead.

Then there's the Deregulation Bill, which has now almost run its parliamentary course. Among the many ways in which it tilts the balance even further against defending the natural world is Clause 83, which states this:

So bodies such as the Environment Agency or Natural England must promote economic growth, even if it directly threatens the natural wonders they are charged with protecting. For example, companies could save money by tipping pollutants into a river, rather than processing them or disposing of them safely. That means more funds for investment, which could translate into more economic growth. So what should an agency do if it is supposed to prevent pollution *and* promote economic growth?

Not that the government needs to bother, for it has already stuffed the committees that oversee these bodies.

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thinktank Policy Exchange, which inveighs against regulation at every opportunity. Its deputy chairman, David Hill, is also chairman of a private company called the Environment Bank, whose purpose is “to broker biodiversity offsetting agreements for both developers and landowners.” Biodiversity offsetting is a new means of making the destruction of precious natural places seem acceptable.

The government has recently appointed to this small board not one but two Cumbrian sheep farmers - Will Cockbain and Julia Aglionby - who, my encounters with them suggest, both appear to be fanatically devoted to keeping the uplands sheep-wrecked and bare. There’s also a place for the chief executive of a group that I see as a greenwashing facility for the shooting industry, the Game and Wildlife Conservation Trust. And one for a former vice-president of Citibank. The board members with current or former interests in industries that often damage the natural world outnumber those who have devoted their lives to conservation and ecology.

So what do we do about this? You cannot fight assaults of this kind without producing a positive vision of your own.



‘The Climate Change Act ... remains a yardstick against which the efforts of all governments can be judged. Should we not also have similar, sustained protection for wildlife and habitats?’ Photograph: Owen Humphreys/PA

This is what the RSPB and the Wildlife Trusts have done with the publication of their Nature and Wellbeing Green Paper. It’s a proposal for a new act of parliament modelled on the Climate Change Act 2008. It obliges future governments to protect and restore the living world. It proposes targets for the recovery of species and places, a government agency (the Office for Environmental Responsibility) whose role is to ensure that all departments help to defend wildlife, and Local Ecological Networks, which devolve power to communities to protect the places they love most.

I have problems with some aspects of this proposal, not least its enthusiastic embrace of the natural capital agenda, which seeks to persuade us to value nature by putting a price on it. This strategy is, I believe, astonishingly naïve. To be effective, you must open up political space, not help to close it down by accepting the premises, the values and the framing of your opponents. But I can see what drove them to do it. If the government accepts only policies or regulations that contribute to economic growth, it’s tempting to try to prove that the financial value of wildlife and habits is greater than the financial value to be gained by destroying them, foolish and self-defeating as this exercise may be.

But I’ll put this aside, because their proposal is the most comprehensive attempt yet to

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against which the efforts of all governments can be judged. Should we not also have similar, sustained protection for wildlife and habitats? Only lasting safeguards, not subject to the whims and fads of passing governments, can defend them against extinction.

The Nature and Wellbeing Act is a good example of positive environmentalism, setting the agenda, rather than merely responding to the policies we don't like. We must do both, but while those who love wildlife have often been effective opponents, we have tended to be less effective proponents.

It will be a struggle, as the times have changed radically. In 2008 the Climate Change Act was supported by the three main political parties. So far the Nature and Wellbeing Act has received the support of the Liberal Democrats (so after the election both their MPs will promote it in parliament) and the Green Party. The Conservatives, despite the green paper's desperate attempts to speak their language, are unreachable. And where on earth is Labour? So far it has shown no interest at all.

If you care about what is happening to the living world, if you care about the assault on the enthralling and bewitching outcome of millions of years of evolution for the sake of immediate and ephemeral corporate profits, join the campaign and lobby your MPs. The Nature and Wellbeing Act will succeed only through a movement as big as the one that brought the Climate Change Act into existence. Please join it.

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