

Environmental Policy and Impact Assessment in Japan

By *Brendan F.D. Barrett & Riki Therivel*
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Though Japan has one of the strictest pollution control systems in the world, and produces the same amount of GNP as the United States using only about half the energy, domestic systems for nature conservation are far below par. Barrett and Therivel guide us through the process of understanding this apparent contradiction. They outline the historical and structural contexts of environmental policy and legislation, and then focus on the integration of environmental impact assessment (EIA). Finally, four case studies trace the implementation of EIA on the ground, and they finish with recommendations.

In response to wide public protest over pollution-related diseases, Japan enacted a thorough and sometimes groundbreaking series of pollution control laws in the early 1970s. Concurrent rising oil prices and a slump in traditional industries meant that energy efficiency and investment in new pollution control devices actually helped economic growth.

The subsequent drop in pollution levels convinced most of the public that environmental problems were solved, and left a legacy of limited environmental policy which emphasizes only pollution problems directly affecting human health, reactive rather than preventive measures, and the assumption that all environmental problems can be solved through technology.

Land-use and development planning policies implementing the renewed drive for economic growth were not fundamentally affected. Barrett and Therivel generously feature the few, usually local, planning mechanisms that do incorporate a comprehensive environmental view, but the overall impression is of an environmental policy effective in itself but strictly and specifically limited to areas

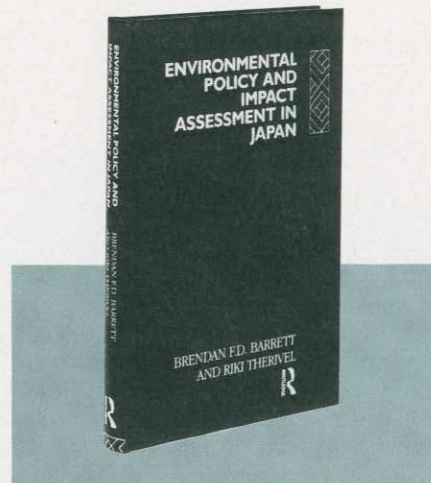
which will not affect the pace of economic growth.

EIA is a planning and management tool ideally coordinated interdepartmentally and managed by an independent authority powerful enough to enforce its findings. As such, it challenged existing planning procedures and jealously guarded jurisdictional prerogatives of the immensely powerful pro-development ministries, and Barrett and Therivel grimly admit that it really never had a chance in Japan.

By the time the Environment Agency submitted a watered-down EIA bill to the Diet in 1981 the emphasis had returned to encouraging development. They also argue that the agency, flushed with pollution-control victories, pushed its luck by being too critical and attempting to usurp decision-making powers from the Ministry of Construction regarding the environmental impact statement for the Honshu-Shikoku Road/Rail Bridge in 1978, perceived as a test case for EIA. The agency apparently "mistook its opponent"—the ministry's budget is about 100 times that of the Environment Agency. The bill died, and administrative guidelines established through a Cabinet decision in 1984 define EIA on the national level.

Though the proposed law was weak, it at least would have rationalized the present hodgepodge of procedures. Eight national ministries and agencies and 23 local governments have separate guidelines for EIA; also EIA procedures are incorporated into five national laws, and four local governments have EIA ordinances sometimes stricter than the national guidelines. The book does an admirable job of sorting out this tangle.

It takes pains to give credit where credit is due, but concludes that EIA in Japan usually functions as justification for a project rather than as a planning tool. The problems are that most EIA procedures lack a legal basis, and public participation is strictly circumscribed; they do not cover many sensitive developments, for example radioactive waste disposal sites; they take place after the decision to develop has been made and do not consider alternatives; and assessments are



reviewed by administrative bodies already committed to develop through licensing and budgetary allocations. As with other imported systems based on logic, EIA in Japan appears to be a matter of going through the motions.

Though we are spared lengthy vapourings on why a Western concept like EIA emerged crippled from the Japanization process, Barrett and Therivel indicate that the major damage was due to the great weight given to economic growth at all costs by a top-heavy power structure. And though they note that Japanese-style EIA may be preferred by those who wish to promote projects without delay and doubt, they also note that good EIA is usually cost-effective in the long run.

As it is, they are rather pessimistic about the possibilities for reform given the present stable, not to say inert, status quo. The drive for economic growth is as intense as ever, and the focus is on the domestic arena and large public works projects, as evidenced by the ¥430 trillion Tokyo promised to spend on infrastructure at the SII talks in 1990. Given the failure so far of Japanese EIA, the consequences for Japan's natural environment and quality of life could be fearsome.

They also recognize the frightening international implications of Japan continuing without an environmental policy that recognizes the need to protect biological diversity before it is destroyed. They applaud Japan's recent recognition of global problems, but warn that although the technofix solutions Japan will no doubt focus on will be important, they will by no means suffice. You cannot fix up species extinction with high-tech after the fact.

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