

Still the Great Green Saviour? Transport, the
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Introduction

Since the early 1970s, the European Union (EU) has become progressively more prominent as an actor in environmental policy, to the extent that it is now seen as a crucial actor in the making of environmental policy in all the member states. As Haigh [[1992, Preface](#)] argues, ‘it cannot be repeated too often that it is impossible to understand the environmental policy of any of the EC member states without understanding EC environmental policy’.

The perception of many commentators is that the EU’s effect on the environmental agenda of the member states has been positive [[McCormick, 1999: 193](#)], particularly in the so called ‘laggard states’ who, but for the existence of the European dimension, would have relatively underdeveloped environmental policy [[Sbragia, 1996: 249-54](#); [Borzal, 2002](#)]. This article challenges that perception by looking in detail at the EU’s transport initiatives, arguing that its environmental objectives for transport have been more than offset by environmentally damaging market driven initiatives.

In order to develop this argument the article is divided into four sections. Firstly, it outlines a framework for conceptualising transport, a uniquely complex area which presents a number of very different challenges to the EU. Secondly, it provides an overview of the scope of Community initiatives in the transport field thus far, providing the background for the substantive analysis which follows. Thirdly, it provides an environmental evaluation of the EU’s Common Transport Policy (CTP), which concludes that on balance the EU has had a negative influence on the environmental agenda of the member states. Finally, it explains why EU transport policy has been damaging for the environment, arguing that a combination of inadequate resources and the domination of a neo-liberal economic orthodoxy has served to promote a developed framework of Community regulation, but has simultaneously undermined Community policy in the activist sphere, with damaging environmental consequences.

The EU and Public Policy Making

The EU is a highly complex organisation. It is involved in a multitude of policy sectors, operating under a myriad of different decision-making procedures, in which its jurisdiction is often hotly contested by the member states. A desire to model such complexity has led to the development of ‘multi-process models’, such as multi-level governance.¹

The utilisation of such a multi-process model is vital for understanding the complexity of EU transport policy, which concerns market building, environmental protection, industrial and competition policy, social mobility and inclusion, budgetary politics, national sovereignty, and conflicts over the nature of capitalism, liberty, freedom and equality. The model of the policy process outlined in this section thus aims to reflect the complexity of the transport arena, and suggests that policy making occurs through three processes.

The first of these, ‘positive or activist’ policy, refers to attempts by Community institutions to pro-actively undertake expansive programmes which concern the distribution of resources or affect macro-economic policy. Such initiatives include the Trans-European Networks (TENs) programme of EU-wide networks of transport, telecommunications and energy networks and the Commission’s proposals for increased taxation powers. Commission initiatives in this area are hampered by ‘formidable obstacles: institutions that make reform difficult, limited fiscal resources, jealous member-state protection of “state building” resources, and an unfavourable distribution of power among interest groups’ [Leibfried and Pierson, 2000: 269].

Secondly transport policy has an important ‘regulatory dimension’ in which the EU is involved both through constructing a Community legal framework (so-called positive integration) but also through legal challenges to those aspects of national policy which conflict with the single market’s promotion of free market liberalism and minimal state intervention (so-called negative integration). In the model developed here, regulatory policy is further separated on the basis of the *objective* which is being met by the regulatory initiative, with market motivated regulation (e.g. regulation of lorry weights) separated from that which is environmentally motivated (e.g. regulation of vehicle emissions) or socially motivated (e.g. regulation of driver working time).²

The argument constructed here is that there are considerable differences between regulation and redistributive/macro-economic policy both in the way in which the policy

process operates and in the level of development of transport policy. As I show below the EU has particularly well-developed regulation in the transport field, whereas activist policy is almost totally undeveloped.

Thirdly, the EU policy process is subjected to indirect pressures ‘that do not legally require, but none the less encourage, adaptations of national’ policy processes [Leibfried and Pierson, 2000: 269]. In the transport case, indirect pressures such as the ongoing commitment to budgetary consolidation contained within the framework for Economic and Monetary Union have constrained state spending [Buti and Giudice, 2002] and helped facilitate the promotion of private finance for the provision of transport infrastructure across the EU. Such common pressures enable the Commission to promote a series of universal solutions applicable across member states which further strengthen its legitimacy.

An important theme underpinning all of these processes is the importance of ideas to the operation of the policy process. Whereas other scholars [e.g. Leibfried and Pierson, 2000; Hix 1999; Pollack 2000; Heretier, 1999] focus almost exclusively on the impact which a lack of political and economic resources has on the capacity of the EU to realise its objectives, I emphasise that ideas also play a vital role in hindering the development of EU policy.

Ideas according to this analysis can operate both internally, as actors dispute the legitimacy of policy proposals, but also externally, in a more structural sense, serving to help the realisation of some initiatives but constraining others.³ In the transport case, the dominant neo-liberal economic orthodoxy has served to promote transport de-regulation [Aspinwall, 1999: 123-4], but has also placed obstacles on initiatives designed to promote environmental and social objectives.

Using this typology of the policy process thus illustrates the conditional nature of the EU in developing environmental policy in the transport area. I argue that EU policy initiatives in the transport sphere are best classified as market or environmentally motivated with a regulatory or ‘activist politics’ mechanism. Thus, EU initiatives can be classified in one of four categories: single-market regulation; environmental regulation; single-market activist, and environmental activist (see figure 1).

The remainder of this article builds on this model of policymaking and utilises this classification of policy types in order to discuss the initiatives of the EU. In order to evaluate the extent to which the EU can be considered to be a ‘great green saviour’ the analysis will

examine the motives for EU policy (whether it is driven by market or environmental considerations); the level of development of EU policy, and the effect which it is having on the policy process (whether it is aiding or undermining the environment).

FIGURE 1
CLASSIFICATION OF EU TRANSPORT INITIATIVES

		POLICY FOCUS	
		Regulation	Activist policy
P O L I C Y M O T I V E S	Market Motivated	e.g. airline de-regulation	e.g. Trans-European Network road proposals
	Environmental	e.g. vehicle emission regulations	e.g. Carbon Tax proposal

EU Transport Policy

Market Motivated Regulation

The Commission White Paper, 'Completing the Internal Market' [1985], and the passing of the Single European Act initiated a flurry of legislative activity in the transport sphere associated with the single market initiative, with the first stages of maritime, air, road and rail transport harmonisation and regulation initiated in December 1986, December 1987, July 1988 and 1991 respectively [Baker, 1994: 69].

Market motivated regulation has involved a fourfold strategy of harmonisation of technical standards (for example lorry weights), social measures (for example permitted working hours and the requirements for EC operator licences), financial regulations (for example deregulation of charging for freight transport) and the opening up of the transport market (for example the removal of cabotage restrictions, so enabling operators to freely undertake the commercial carriage of goods on their return journey) [Lee, 1994: 218-20].

Development of such market-motivated regulation varies considerably across the different transport sectors. In the road haulage sector, for example, Community activity has had a significant effect, outlawing national restrictive practices under which member states had operated restrictive licensing arrangements, imposed quotas on the number of vehicles able to transport goods internationally, and placed restrictions on cabotage rights.

While deregulation in the air transport sector is also well-developed, progress in the rail and public passenger transport sectors has been much more modest, with only very limited liberalisation thus far. However three EU directives were passed in December 2000 which provided the legal tools for increasing liberalisation of the rail freight sector, aiming to open up the international rail freight market completely by 2008. Whilst such measures fall far short of Commission proposals for full liberalisation, they are an important first step in the realisation of full cabotage within the industry. In addition, the increasing consolidation of the rail passenger and freight sectors, with mergers and take-overs across national borders combined with legal changes within a number of the member states to open up their domestic freight markets to non-national carriers, provide further evidence of a growing impetus to liberalisation which in time may prove irresistible [CEC, 2002a: 18-22].⁴

In the area of market motivated regulatory policy, the CTP is at its most developed, yet the measures undertaken by the EU *still* 'stop well short of full immediate liberalisation'

[Lee, 1994]. In spite of this they have provided an important spur to the process of greater integration in the transport sphere which has had a significant impact on both the process of European integration and the agenda of the member states. With the prospect of increasing de-regulation in the rail freight sector by 2008, and similar trends developing within the international passenger coach sector, it seems likely that by the end of the decade the Community will be close to achieving one of its primary goals for the CTP: the full liberalisation of the transport market.

Market Motivated Activist Policy: The Single Market and Transport Infrastructure

Following the acceleration of the single market programme and the associated growth in traffic congestion, the need for a developed infrastructure policy to complement the Commission's regulatory activism became increasingly clear. It was not until the signing of the Maastricht Treaty, however, that the Commission's proposals gained a legislative basis, through a commitment to develop trans-European networks in the transport field.

In order to realise the transport TENs the EU generated a list of fourteen priority projects at the Essen European Council meeting in 1994 under four headings: rail (8 projects); combined road/rail (2 projects); road (3 projects); and air (1 project). The proposals were extremely ambitious and involved the strategic linkage of 54,000 kms of roads (of which 37,000 kms were in use on January 1992 and 12,000 kms were improvements or new roads scheduled for completion by 2002) and 29,000 kms of railway (of which 14,000 are improvements and 12,500 are new lines) at a cost of €120 bn for the road programme and €240 bn for the rail projects [CEC, 1993b: 31-4; CEC High Level Group, 1995: 8 (1992 figures)].

The primary rationale behind the programme was the need to accommodate traffic increases resulting from the acceleration of the single market [CEC, 1993b: 15-25]: international road freight levels between EC member states grew 84.4% in the period 1984 to 1989 [CEC, 1993b: 12] and forecasts projected a six to eight fold rise in traffic levels on key routes between the EU and the Central and Eastern European countries [CEC, 1993b: 23]. The TENs were designed to meet the growing volume of traffic by overcoming bottlenecks and strengthening the links between member states, strengthening links with peripheral regions to aid their economic development, overcoming natural obstacles such as

mountain ranges and the sea and optimising network efficiency by improving traffic management [Christophersen Group, 1995: 35-6].

The TENs proposals also had an important (if secondary) social and environmental justification. The Commission's White Paper, 'Growth, Competitiveness, Employment' [1993a: Ch.3], identified the scheme as a way of creating jobs, overcoming social exclusion, protecting the vulnerable from the dynamism unleashed by the single market, and ameliorating environmental damage through reduced congestion and mode switching from road and air to rail. However such a focus was only temporary: the 2001 transport white paper no longer characterises them in this way, suggesting that their primary rationale remains that of promoting the single market [CEC, 2001: 12-14].

But despite the importance of these schemes, their implementation has proved difficult: only 3 out of the 14 Essen projects were completed by mid-2003, exemplifying the imbalances in the development of the CTP between success in formulating regulatory policy and failure to implement activist policy.⁵

The EU and Environmentally Motivated Regulation

Since the early 1990s, the environmentally motivated regulatory strategy of the EU has focused on what has come to be known as the 'Auto Oil programme', designed to improve the environmental performance of road vehicles by reducing engine emissions and cleaning up fuel.

The Auto-Oil programme was set up in 1992, entailing an 'unprecedented collaboration' between vehicle manufacturers, the oil industry and the Commission in order to devise a framework for reducing emissions (Financial Times, 26 June 1996). While there was considerable disagreement between the oil companies and the vehicle makers over which sector should bear the costs of the programme, legislation was finally adopted in 1998 which 'is likely [to cost] ... 60bn euros for the motor industry and 32bn euros for the oil industry over the 15-year implementation period' [Grant et al, 2000: 194]. The cumulative effects of the programme have been impressive: emissions of the target pollutants 'will fall to less than 20% of their 1995 levels by 2020' [CEC, 2000a: 3].⁶

The Commission's principal motive for the development of policy in this area was, perhaps unsurprisingly, that of improving the quality of the environment [CEC, 2000a: 5]. Yet, as I argue below, a focus on regulatory policy in fact promotes a narrow perception of

the problems associated with transport, focusing on a ‘technical fix’ (i.e. improving air quality by reducing exhaust emissions) rather than a ‘lifestyle solution’ (i.e. improving air quality by travelling less or differently).

The second motive for the development of environmentally motivated regulatory policy is that it averts disruptions to the functioning of the internal market [CEC, 1996a: 39] which would be caused by differing national standards created to protect the home transport industries (which have historically been closely tied to national governments) [Paterson, 1996: 160]. Vehicle manufacturers who produce high value products for export which are particularly vulnerable to changes in national regulatory standards have strong incentives to ensure Community-wide regulation of emissions standards.

Thirdly, the Commission favours the development of environmentally motivated regulatory policy as it enables it to acquire greater political authority as a policy maker. By building the Auto-Oil framework it has been able to use ‘marginal, relatively innocuous measures’ [Spicker, 1991: 9] combined with the incorporation of industry experts in a purpose built network to overcome the opposition of national governments and gradually increase its competence [Cram, 1993: 143].

Overall, the initiatives in the field of environmentally motivated regulatory policy have produced a comprehensive framework for improving ambient air quality and have also served to increase the authority of the Commission to formulate transport policy more generally. However, as I show later in this article, such initiatives have also had negative results, serving to exclude the ‘green’ groups from the policy process and in fact promoting more and more (even if slightly greener) travel.

The EU and Activist Environmental Policy

The Commission’s initiatives in the activist environmental field have centred on developing a framework for reducing CO₂ emissions from transport (in particular road transport), with initial proposals in 1990 centred on the implementation of a carbon-energy tax. Such a proposal could have been highly effective in reducing CO₂ emissions, enabling the EU to meet its commitments as agreed at Kyoto [Maddison and Pearce, 1995: 138], but it met heavy opposition from a number of member states and industrial lobbyists [Skjærseth, 1994]. The proposal was dropped in 1994 as the UK government made it clear it would use its veto, albeit motivated primarily by its own agenda of protecting national sovereignty rather than by

economic considerations [[Haigh, 1996: 164-6](#)] (the Major government acknowledged that the tax if implemented would have imposed only limited costs on the economy [[Cm 2068: para 45](#)]).

Following this setback, Commission attempts to build a coherent policy framework for activist environmental policy stalled until the end of the 1990s. The strategy then developed was based on three pillars – broadening the Auto-Oil framework to directly focus on CO₂ emissions, increasing consumer awareness, and the development of tax powers.

The main pillar was the utilisation of the Auto-Oil framework to reduce average CO₂ emissions for new passenger cars to 140 g CO₂/km by 2008 (2009 in the case of Japanese and Korean manufacturers) (CEC, 2002b, p.3). Despite this being a ‘voluntary’ commitment, progress in this area has been good with reductions from approx 186 g CO₂/km to roughly 167-170 g CO₂/km between 1995 and 2001. The Commission [2002b: 3] argued that it is ‘realistic to hope that the target [i.e. 140 g CO₂/km] would be met by 2010 *if the necessary measures are taken and all efforts are made*’ (emphasis added).

In addition to these changes to the supply side, the Commission [2002b: 10] also attempted to develop two additional pillars aimed ‘at influencing the demand side’. The first of these centred on the passing of the so-called ‘labelling’ directive (1999/94/EC) which requires manufacturers to provide information relating to fuel economy and CO₂ emissions of new passenger cars ‘in order to enable consumers to make an informed choice’ [[CEC, 2002b: 2](#)] and, by implication, purchase vehicles which are less environmentally damaging.

The final and most controversial pillar represents Commission [2002c: 13] proposals for progressive harmonisation of vehicle taxes, pushing member states away from registration taxes (RT) payable when a car is initially purchased and towards increasing use of a combination of annual circulation taxes (ACT) related to vehicle ownership and fuel taxes. The Commission [2002c: 15-18] planned for tax differentials on the basis of fuel efficiency and CO₂ emissions, which would encourage consumers to purchase more efficient vehicles, thus giving the proposals a clear environmental focus.

These two demand side attempts at activist policy have in fact met with great resistance, remaining largely unimplemented to date. France, the UK, Germany and Italy have all been taken to the ECJ for their failure to notify implementation of the labelling directive, while the proposals for harmonisation of RT and ACT are undermined by a combination of the considerable differences which presently exist between the levels of these

taxes (average RT rates vary from €15,659 in Denmark to €267 in Italy and average ACT rates vary between €463 in Denmark to €30 in Italy (1999 figures)] [CEC, 2002c: 6]⁷, the reluctance of the member states to make any substantive changes to their national tax regimes on the lines of the Commission's proposals, with only the UK government beginning to introduce such a framework as of April 2002 [CEC, 2002c: 18] and the opposition of the vehicle makers to tax harmonisation as reducing EU competitiveness and undermining 'the diversity of product offerings of the European car manufacturers' [ACEA, 2002: 6], in particular reducing their earnings from larger cars/people carriers which are presently highly profitable. This failure to implement demand side activist policy is a serious problem, because as the Commission [2002b: 19] itself has acknowledged, 'it seems clear that to achieve the overall target the implementation of all three pillars of the strategy will be necessary'.

Overall, the analysis thus far has shown that the EU has clear proposals for transport policy in four key areas – market motivated regulatory and activist policy and environmentally motivated regulatory and activist policy. Yet, at present, there is a serious imbalance in terms of the level of development of policy in these different areas. In the next section I look at the effect of this before returning to reflect on why such an imbalance has occurred.

Evaluating the CTP's Environmental Impact

In this section I consider the environmental effects of the CTP in two ways. First, I provide a fairly conventional 'audit' of the CTP which looks at its effects in areas such as congestion, air quality, CO₂ emissions, noise levels etc.⁸ Second, I offer a 'deeper' analysis of its impact both in 'philosophical' terms and in terms of the way in which the EU policy process operates, arguing that the CTP itself promotes a neo-liberal perception of transport which emphasises market-based solutions, so preventing groups which oppose such an approach (and by implication the solutions which they advocate) from coming to the fore. From these two perspectives, I conclude that the CTP's negative impacts significantly outweigh its positive ones.

The conventional evaluation

Disagreement amongst commentators not only about the effects which transport has on the environment (perceptions of the total cost of externalities such as congestion, noise, accidents etc vary widely) but also over whether Community transport initiatives are broadly speaking good or bad for the environment make a conventional evaluation difficult.⁹ However this section attempts such an evaluation, considering both elements of policy which are apparently beneficial and those which are apparently destructive.

In looking first at the apparently positive effects of the CTP, I focus on two examples already mentioned: the EU's Auto-Oil framework and the proposals to construct rail TENs.

As outlined earlier, the Auto-Oil programme has led to tangible reductions in the emissions of a number of the key pollutants that are responsible for poor air quality. Such improvements in air quality have, according to the European Environment Agency, had clear benefits for public health, resulting in reductions in the numbers of premature deaths (still estimated at well over 100,000 per year in Europe [WHO, 2002: Ch.4]) and asthma attacks which would otherwise have occurred [EEA, 2000: 27]. Thus the Auto-Oil programme seems to have had very important environmental benefits.

However even in this apparently clear-cut case, it is important to note that the environmental benefit of EU policy is contested. The causes of asthma are itself in dispute, with commentators arguing that any number of different factors such as deteriorating indoor air quality, increases in the numbers of household dust mites, poor diet and stress could be responsible for the increasing numbers of registered asthmatics.¹⁰

In common with the Auto-Oil framework the proposal to construct high-speed rail links under the TENs programme also has apparently beneficial environmental effects: they are designed to facilitate changes in behaviour as travellers are encouraged to switch from road and air transport to rail. High Speed Trains (HST) also have considerable benefits over air and road transport in other ways, reducing congestion, air pollution and CO₂ emissions per passenger km [CEC, 2002d].¹¹

But here too, apparent improvements also have negative effects on the environment, with increased noise levels and energy use in comparison to conventional trains (Economist, 19 February 1998). In addition, HST tend to increase levels of social exclusion, as slower trains are displaced from the line by faster ones, leaving those who relied on the previous service for local journeys excluded.

Turning to the apparently negative effects of the CTP, I will examine two examples: the proposals to develop road TENs and the expansion of EU regulatory policy in the transport sphere.

Looking initially at the road TENs, the environmental costs appear to be clear. Despite their aim of reducing congestion, research by a number of experts has convincingly demonstrated that major expansions of road capacity have, in fact, the opposite effect, as road users modify their behaviour to make use of the new roads [SACTRA, 1994: ii]. The expansion of road capacity through provision of the road TENs is thus ultimately flawed: it will facilitate the switching of travel patterns towards road use, undermining the anticipated benefits from the Community's other transport initiatives which encourage public transport use. The resulting growth in road traffic will also cause significant environmental costs with increasing CO₂ emissions, poorer air quality, higher levels of accidents, increased noise levels and so on, negating any benefits from the Auto-Oil programme which was designed to improve air quality and reduce CO₂ emissions.

However the road TENs also have environmental effects which could be viewed positively. Some commentators have argued that they help to overcome social exclusion, thus providing environmental benefits in the broadest sense of the term. By incorporating geographically isolated communities into the 'core of Europe', employment opportunities, for example, are enhanced, so improving quality of life for the beneficiaries [Vickerman, 1994].

In any case, as the European Parliament [1997: 10] has itself pointed out, the responsibility for proposals for the TENs lies with the member states themselves. It seems reasonable to assume that the member states would have built most of the road schemes anyway, regardless of the existence of the TENs programme. If this is true, then the effect of Community action is much less significant, with the TENs amounting to little more than the re-branding of 'national' schemes as 'European' in order both to boost the legitimacy of the Commission and to allow member states to access the EU monies which flow from Community support of a TENs initiative (interview information). It therefore seems inappropriate to criticise the EU in environmental terms for the construction and promotion of essentially national schemes.

A further area in which it initially appears that EU activity has been damaging for the environment is the development of regulatory policy in the transport sphere. In particular, deregulation within the road haulage sector means that international hauliers are increasingly

able to make deliveries in overseas markets without restrictions, which has enhanced their competitiveness and encouraged mode switching from protected forms of transport such as rail freight [CEC, 2002a: 20-21]. Thus EU policy has apparently facilitated increases in air and surface traffic, with resulting costs in terms of congestion and emissions of CO₂ particularly pronounced (Between 1991 and 2000 Road Freight levels grew 34%; car use grew 16% and air travel grew 70% [CEC DG Energy and Transport, 2002: Table 3.4.2 and 3.5.2]). The effect of the SEA is even more pronounced within the so-called ‘transit countries’ of the EU: for example, international traffic now accounts for over 10% of total freight traffic in Austria, almost doubling in volume since the onset of the SEA [CEC, 2000c: 12; 27].

However even here the effect of Community action is not clear. Traffic levels are rising anyway, with the airline sector in the USA experiencing growth of 37.8% in the period 1991-2000 and car usage and road freight levels growing 18.3% and 49.1% respectively in the same period [CEC DG Energy and Transport, 2002: Table 3.4.28 and 3.5.21]. Thus at worst, deregulation by the EU has no more than accelerated an existing trend and at best it has reduced environmental damage as cabotage has stopped the previous practice of trucks having to make their return journey empty, thus actually benefiting the environment.

Overall, therefore, when looking at conventional measures of the costs and benefits of the CTP in environmental terms a very mixed picture emerges. The evidence seems to suggest that the effect of Community action has been benign at best and damaging at worst. But if any doubts exist over the effect of the CTP in this conventional sense, they are removed when one looks at the impact of the CTP at a deeper, philosophical level. Here, as I will now show, Community action has clearly been very damaging for the environment.

The philosophical evaluation

As we have seen, EU policy has focused on promoting market orientated solutions to environmental problems rather than solutions which focus on changing transport behaviour – and it is these latter solutions which are crucial for the protection of the environment. The CTP has repeatedly promoted the use of ‘technical fixes’, such as the promotion of clean vehicle technology through the ‘Auto-Oil’ programme, rather than ‘lifestyle solutions’ which focus on changing the behaviour of transport consumers.

Looking specifically at the Auto-Oil programme the impact of the Community's strategy is clear. The Commission has promoted the use of technological improvements to engine technology and fuel quality in order to reduce the environmental effects of new road vehicles (i.e. a technical fix), but has done nothing to reduce the level of transport activity which produces the emissions (a lifestyle solution). With total car mileage predicted to grow 25% by 2010, road haulage projected to grow 42% [CEC, 1997] and air traffic scheduled to more than double between 1998 and 2015 [ATAG, 1999: 9] the benefits of the EC strategy will begin to be undone before 2010 as CO₂ emissions from transport begin to rise once more relative to a 1995 baseline [CEC, 2000b: 50].

This focus on technical fixes, rather than reducing traffic volumes, is illustrative of the Commission's commitment to the facilitation of enhanced mobility across the European continent which serves to insulate the pro-roads groups from the lifestyle implications of growth in traffic. Indeed the Commission's strategy of incorporating the oil and vehicle manufacturers in a technical network designed to 'identify which new measures may be required to meet rational air quality objectives in the most cost effective way, derived from scientifically sound data' [EPEFE, 1995: 1] was explicitly designed to exclude the opponents of road-based transport from the policy process and to avoid the lifestyle implications of the contribution to air pollution of rising traffic volumes.

The justification used for making policy on the basis of 'technical fixes' stems from a very narrow conceptualisation of cost based solely on emissions rather than on other less quantifiable costs associated with transport, such as the blighting of the landscape, road safety, noise, congestion and so on. The cumulative effect of such an approach is profound. By apparently 'solving' the problem of transport by reducing emissions, policy makers serve to reduce the salience of the issue and make it much harder for opposition lobby groups to mobilise against it. The Commission's strategy has thus been responsible for managing the policy agenda by deflating the opposition groups, reducing the salience of the issue and continuously promoting a market orientated mode of delivery.

In his analysis of the second Auto-Oil programme (Auto-Oil II), Warleigh [2000: 233] suggests that significant changes occurred in the nature of the policy process as an increased array of actors were brought into the consultation process. But while it is true that the number and scope of the incorporated interests did increase, it is important not to overstate the impact of these changes. Even though consultation was expanded, the decision

had already been taken that Auto-Oil II would continue the pattern of Auto-Oil I (i.e. reducing emissions via a technical fix which excluded lifestyle solutions) [CEC, 2000a]. Thus, despite the involvement of environmental and other groups, developments at the Community level are still focused on managing the challenge of the anti-roads/environmental groups by invoking technical solutions to manage the political agenda.

For the Community to tangibly transform the nature of the transport market and to be judged positively as a ‘great green saviour’, it would thus have to move away from such market focused solutions and invoke solutions explicitly designed to change the operation of the transport market. My earlier discussion of the proposals to develop transport taxes shows that the community has tried, and failed to do so. So the key question remains: why is it the case that the environmental policy of the CTP has developed in the way that it has?

Explaining the EU’s imbalanced framework: the importance of resources and ideas

In this, the final substantive section of this article, I explore the reasons why the CTP has developed in the way that it has. Thus far I have argued that the CTP has a well-developed regulatory framework, but has had only limited success in developing activist policy. I have also argued that this uneven policy framework is environmentally damaging. Yet I have not explored in any detail why the CTP has developed in the way that it has, and why it is so unbalanced. Is it due to the fact that the EU is simply ignorant of the environmental effects of the CTP? Is it due to a lack of resources which prevents the EU from realising its objectives? Or is there a deeper explanation linked to the power of ideas, in which certain policy solutions are promoted because they fit with a dominant ideas orthodoxy in existence within the EU? I will explore these three possible explanations in this section.

The first possible explanation for the unbalanced nature of the CTP is that the Community is simply ignorant of or indifferent to the environmental consequences of its policy: either the EU does not realise that its own initiatives are producing policy problems, or it does not care about the imbalances that are developing. Such a view is unsustainable.

For more than 10 years the Community has been producing policy documents and policy pronouncements which have identified transport as a growing problem affecting quality of life in terms of congestion, air pollution, CO₂ emissions, social exclusion and so on. A 1996 Commission statement is typical of these:

Increasing transport delays have brought down travel speeds in a number of major European cities to levels which prevailed in the age of horse-drawn carts ... It is estimated that thousands of European citizens die each year from just one form of air pollution (particulate matter) ... society is realising that the cost in terms of suffering, misery and lost productivity is unacceptably high [1996a: 13]

Furthermore, it is clear that the EU has a clear sense of the need for a multifaceted strategy to solve such problems. This framework, outlined in a number of policy documents since the early 1990s, encompasses the following key measures:

- ❑ proposals for a €400bn programme of investment in Trans-European Networks in the rail, road and air sectors
- ❑ the development of integrated public passenger transport systems through the citizens' network initiative [CEC, 1995]
- ❑ proposals, such as the Carbon-Energy tax, designed to ensure that transport users pay the full costs of their actions
- ❑ de-regulatory policy, for example in the road haulage sector, designed to free-up the transport market
- ❑ re-regulatory policy, such as the policy coming out of the Auto-Oil framework, designed to develop regulation to enhance social and environmental protection

As I have argued earlier, such a multi-faceted strategy is indicative of a comprehensive policy framework including market motivated regulation; environmental regulation; activist infrastructure policy and activist environmental policy. The Community clearly understands both the nature of the problem and the nature of the attempts that must be made to ameliorate it.

The second possible explanation for the unbalanced nature of the CTP focuses on resource based explanations. These dominate much of the literature on the European Union, emphasising that the Commission, in particular, has inadequate political and financial resources to realise its objectives in the activist policy sphere [e.g. Hix, 1999; Leibfried and Pierson, 2000].

Looking first at the political, resource based accounts argue that the decentralised nature of Community decision making combined with the relative power of both the member states and pressure groups provides insurmountable obstacles for the Commission, preventing it from realising its aspirations, particularly in the activist sphere [Leibfried and Pierson, 2000: 270-75]. Such insights prove particularly valuable in the transport case: for example, the Commission's proposals in the early 1990s for a carbon-energy tax in the activist environmental sphere required unanimous support, and was easily opposed by a combination of key member states (in particular the UK and the Southern Mediterranean countries) and the industrial lobbyists. Current plans for harmonisation of RT and ACT have been similarly undermined by the incapacity of the Commission to overcome the opposition of the member states or vehicle makers.

This conflict over the Community's proposals for transport taxes highlights fundamental differences of perception within the EU regarding transport. As Baker [1994: 71] has argued, there remain two clear (and competing) transport philosophies in existence within the EU: an Anglo-Saxon focus which is 'essentially a commercial approach concerned with maximising efficiency within the transport sector' and a Continental focus which 'treats the provision of transport as a state obligation as well as an instrument in a wider social framework and focuses on the role of transport in achieving larger, usually distributional objectives'. Such differences lead to a different perception of the role which social and environmental factors should play in the provision of transport policy: the Anglo-Saxon approach downgrades such objectives while the Continental model places a high premium on them. The impact of this is to undermine the EU's activity in the transport field [Baker, 1994: 72; Button, 1984: 11-15]

Baker's account emphasises that such divisions divide the member states, but it is important to emphasise that they also serve to divide the Commission itself as different Directorate Generals (DG) compete over the objectives for the CTP. The environmental directorate has promoted a broad focus on environmental protection and sustainable development as core objectives of the CTP, whereas the Commission's transport and competition directorates have tended to emphasise a market orientated focus for the CTP, with a focus on reducing levels of state aid and the building of a regulatory approach to transport [Weale and Williams, 1992]. Thus pro-environmental elements of the Commission have insufficient institutional authority not only to overcome the member states and the

industrial lobby, but also those elements of the Commission which oppose the development of a comprehensive environmental focus for the CTP.

Resource based accounts of EU policy making also emphasise that the Commission has inadequate financial resources to realise its objectives in the activist sphere [Majone, 1993; Pollack, 2000]. Such arguments are clearly applicable in the transport case. For example, the Community's proposals for the TENs envisage the expenditure of €400bn on the development of an extensive road and rail infrastructure network. But these proposals rely on the member states for 90 per cent of their finance¹², and have inevitably been squeezed in a climate in which the principal focus of many of the EU's governments has been on the need for fiscal austerity prompted by rising unemployment, relatively low economic growth and impending welfare crises resulting from an ageing population. The member states' sense of fiscal crisis has been heightened by the implementation of EMU with the stability and growth pact 'making budgetary discipline a permanent feature of EMU' [Buti and Giudice, 2002: 830].

Such pressures have affected the capacity of the EU to realise its infrastructure objectives, as member states have faced contradictory demands for investment in infrastructure *and* economic austerity since the early 1990s when the framework for EMU was devised. As the Commission [CEC, 1996b: 7] itself argued, 'lower taxation is more conducive to growth than higher public spending. The drive for budgetary consolidation therefore needs to be stepped up'. In this political climate it is unsurprising that the member states have rejected demands for greater public spending from the Commission.

Faced with a lack of financial resources necessary to support activist policy, the EU has thus been forced into building policy on a regulatory basis, which, as Majone [1993: 161] has emphasised, requires relatively few resources:

The size of non-regulatory, direct expenditure programmes is constrained by budgetary appropriations and, ultimately, by the size of government tax revenues. In contrast, the costs of most regulatory programmes are borne directly by the firms and individuals who have to comply with them. Compared to these costs, the resources needed to produce the regulations are trivial. This general feature of regulatory policy making is even more pronounced in the case of the Community, since not only the economic, but also the political and administrative costs of enforcing EC regulations are borne by Member States.

From this perspective, the development of Community regulatory policy designed both to free the transport market and to protect the environment, can be explained by the lack of political and economic resources available to the Community. However, such a resource-based focus provides only a partial explanation of the unbalanced nature of the CTP, as the following analysis of the politics of ideas demonstrates.

The third possible explanation for the unbalanced nature of the CTP centres on the power of ideas which operate both internally (i.e. within the transport policy process), as a resource for actors to help to legitimate their favoured policy outcome, and externally (i.e. outside the formal policy process), in a more structural sense, serving to help the realisation of some initiatives but constrain others.

As I argued at the beginning of this article transport can be conceived of in many ways: as promoting liberty; or market integration; or social inclusion etc. Such differences of perception reflect different fundamental visions of the nature of politics and society. I here contend that one reason why the regulatory framework is well developed whilst activist policy is less so is that the former reflects one form of vision, while the latter reflects another.

Regulation promotes market accumulation and market orientated solutions. Regulation does not result in reductions in the level of transport activity or changes to the nature of that activity. The use of a regulatory approach is therefore compatible not only with a developing global neo-liberal economic consensus centred on globalisation (operating externally) but also with the Anglo-Saxon model of transport provision and the *predict and provide* (P& P) orthodoxy in which government acts in a 'benign' way, predicting rates of growth in the transport sector and then providing for that growth (operating internally). Under P&P transport is *not* perceived of in terms of its broader social or environmental implications; the government is not concerned with manipulating the transport market in order to change consumer behaviour.

In contrast activist policy is explicitly designed to change behaviour. For example, activist infrastructure policy in the public transport sphere (such as the rail TENS) is designed to offer alternatives to existing methods of transport and encourage people to travel in a different way. In terms of the politics of ideas policy such as this reflects both the Continental model of transport policy and an *encourage and provide* (E&P) approach in which alternatives are 'provided' for transport consumers which 'encourage' them to switch modes.

This is clearly quite different to the P&P approach; market-orientated liberals have attacked E&P as promoting collectivist solutions to transport problems which undermine individualism.

The proposed use of activist policy in the form of fiscal instruments is more radical still as they effectively serve to price people onto alternatives. They are thus part of a *restrict and provide* orthodoxy (R&P) which ‘restricts’ access to certain modes of travel whilst ‘providing’ alternatives. Such an approach challenges the neo-liberal approach to transport even more deeply, attacking as it does the developing global consensus on the merits of free-market capitalism (operating externally) but also the Anglo-Saxon support for ‘free markets’ within the transport market which the EU has traditionally promoted.

Looking at EU initiatives through a focus on the politics of ideas thus provides a very different explanation for the unbalanced nature of the CTP. From this perspective the promotion of environmental regulation (through a series of technical fixes via Auto-Oil) over and above lifestyle solutions (which change the nature of transport behaviour) is not explained by resource issues but rather reflects a desire by the Commission to develop a model of transport policy that promotes mobility and not environmental protection – a desire which is supported by the power of ideas. Similarly, the failure of activist environmental policy is explained not only by its fundamental incompatibility with a set of core ideals within the community which emphasise the values of flexibility, choice, mobility and liberty synonymous with the single market project but also because such values are synonymous with the values of free-market capitalism more broadly. Such observations suggest that a positive environmental change in EU transport policy would require a transformation of values both within the EU and external to it akin to a religious conversion, rather than the simple increase in financial or political resources which is suggested by resource-based accounts of EU policy making.

Conclusion

This article has outlined a number of arguments questioning the dominant assumption that the European Union has been a positive influence on the development of environmental policy in the member states, suggesting instead that the development of EU environmental policy in the transport field has been damaging in a number of ways. This article contends that this has resulted from an imbalance in the development of the policy instruments

available to the Union for the management of environmental problems, with a well-developed regulatory framework and an almost total failure of activist instruments. The impact of this has been felt as follows.

Firstly, the single market initiative of the European Union and the associated deregulation of the transport market has resulted in considerable increases in cross-national road transport. However, these initiatives have not been accompanied by improvements to either the road network to reduce the damage locally, or by the provision of alternatives to encourage mode switching.

Secondly, the environmental initiatives of the EU have also had mixed success. The development of a Community framework for the reduction of vehicle emissions has had a significant impact on ambient air quality, succeeding in the reduction of a number of pollutants associated with the deterioration of public health and the management of local air quality. Yet at the same time the EU has struggled to reduce emissions of greenhouse gases, principally CO₂, as a result of the failure of the Carbon-energy tax proposal and the increase in traffic volumes caused (in part) by the single market. The technical fixes agreed within the Auto-Oil II framework have no effect on the fundamental problem of the volume of traffic on the roads.

Finally, the challenges which the environmental movement pose to the CTP have been undermined by the EU's regulatory strategy which has reduced the political salience of the transport issue by managing its most visible effect: air pollution. In consequence issues of sustainability, land-use and mobility are largely removed from the political agenda.

This article has also reflected on why the CTP has developed in this unbalanced way, considering three possible explanations.

The first is that the Community is simply unaware that its initiatives have caused serious environmental problems. However, the EU has clearly acknowledged the need for a balanced policy emphasising both activist and regulatory aspects, motivated at least in part by a desire to ameliorate the environmental effects of transport.

The second relates to arguments over the Community's resources for the realisation of its objectives. From this perspective policy imbalance is explained by the observation that while the EU lacks sufficient policy instruments to develop activist policy, it has sufficient instruments to develop the regulatory strand, and so does so. Such a model, I have argued, provides a partial explanation for the unbalanced nature of the CTP.

The final possible explanation is connected to work on the power of ideas, demonstrating that ideas help to enable the realisation of certain objectives while constraining the realisation of others. Applying such insights to the CTP reveals that the development of transport policy in the EU reflects the priorities of neo-liberalism, which promotes a view of transport which automatically creates obstacles for initiatives designed to promote environmental and social inclusion. The fact that the Community has successfully realised its regulatory aspirations but has failed in the pursuit of its activist ones is thus explained by the fact that the former are in tune with the dominant orthodoxy, while the latter tend not to be. Hence the Community is extremely unlikely to ever realise its aspirations to be regarded as ‘a great green saviour’.

NOTES

¹ See Marks *et al* [1996] for an overview of MLG. See Hix [1999]; Leibfried and Pierson [2000]; Richardson [2001], and Wallace [2000] for examples of other multi-process models

² Hix [1999: Ch.8] also offers a similar distinction

³ See Rosamond [2001: 159] for similar arguments connected to globalisation

⁴ However, the barriers to the implementation of a fully liberalised market are still considerable. The realisation of full cabotage requires trains and rolling stock which can operate across multiple voltages and track gauges, costing, according to the Commission’s own estimates, ‘tens of billions of euro’ [CEC, 2001: 29].

⁵ This failure is brought into even clearer focus with the enlargement of the Union slated for 2004, in response to which the Commission [2001: 54-8] has proposed a further 6 priority transport projects within the TENs.

⁶ This is in addition to earlier cuts which had, for example, reduced permitted emissions of carbon monoxide by 90% since 1970, and reduced emissions of hydro-carbons and nitrogen oxides by 65% and particulates and emissions from diesel engines by a third since 1983 [Cm 3234: 78].

⁷ At present RT rates operate in 10 of the member states and ACT operates in all member states except France (CEC 2002c, p. 6)

⁸ See Grant *et al* [2000, pp. 1-6] and Skjærseth and Wettestad [2002] for frameworks for measuring the effectiveness of EU environmental policy.

⁹ See EEA [2002: 3-4] for competing research which quantifies transport’s total external costs at between 4% and 8% of EU GDP.

¹⁰ For an overview see Robinson [2000: 87-8]

¹¹ Emissions figures to transport 100 passengers 1 km are as follows: High Speed Train – 4.2kg of CO₂; motor vehicle – 14.1kg of CO₂; aircraft – 17.1kg of CO₂ (CEC, 2002d, unpaginated)

¹² The Commission [2001: 59] has recently made proposals to increase its permitted funding allocation to 20% of the projects total cost in order to try to accelerate the development of the TENs

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