

Argumentative essay on is environmental damage the responsibility of the governme...

[Experience](#), [Responsibility](#)



Fixing any kind of environmental damage is a complex, expensive and time-consuming problem. Whether it's a natural disaster like a hurricane or a typhoon, or an environmental disaster caused by humans like global climate change or the BP oil spill, there are many different questions that must be asked. In most countries, different governmental bodies exist to help alleviate the strain that is placed on the general population when environmental damage happens. However, many people question whether environmental damage is solely the government's responsibility. If it is not the government's responsibility, who must take care of environmental damage when it happens? Damage to the environment is not an easy problem to solve, and most individuals do not have the knowledge or the financial means to tackle the problem on their own. Thus, responsibility for solving the problem of environmental damage should come partially from the government, but also from corporations or other groups that are responsible for causing the damage in the first place. With stricter standards in place for environmental protection and more scrutiny when it comes to environmental issues, the government's massive financial and ethical weight of protecting people and the environment from environmental damages can be effectively lightened.

Certain types of environmental damage should be considered the government's responsibility. This type of damage should include things like forest fires, hurricanes, earthquakes, and other natural disasters that humankind has little control over. Protecting people and infrastructure in times of crisis is one of the main jobs of the government, and the government should continue to be responsible for these types of disasters.

According to the International City/County Management Association's primer regarding environmental liability (2001), the local government in most places is not liable for damages caused by natural disasters, but they do bear a responsibility to clean up after a disaster occurs. In the case of a disaster like Hurricane Katrina, which hit Louisiana and caused massive amounts of damages, mismanagement of government resources was so severe that the United States government was sued (Shoup, 2005).

According to Shoup (2005), "FEMA defers to state and local emergency teams to handle disasters. If a city cannot respond, the county or the state provides help. If the state lacks the resources, the federal government responds, but only at the request of the governor and on the recommendation of the region's FEMA director" (Shoup, 2005). The problem with this type of situation is that it allows everyone to "pass the buck" along-- it is difficult to pinpoint an individual (or even an agency) that is responsible for the environmental damages caused by the disaster.

Mismanagement of disasters can be incredibly expensive, as Hurricane Katrina demonstrated. While individuals made good strides in helping the people hurt by the disaster, the true help should have come from the government. When it did not arrive, people were rightfully outraged (Shoup, 2005). Lawmakers for areas affected by natural disasters are responsible for the health, safety, and well-being of people within their borders, and must take responsibility for them and the issues they face. Without governmental assistance, tragedies like Hurricane Katrina would be even more devastating for the population.

The problem becomes slightly more complex when the issue becomes an

issue of human-caused environmental problems. Since the Industrial Revolution, humankind has been dumping massive amounts of toxic chemicals around the globe, causing untold environmental damage to many places on Earth. It seems unfair to hold a single government responsible for the actions of humanity as a whole, from past to present. This begs the question, however, of who bears the responsibility for the clean up. The answer is simple: all of humanity must bear the responsibility. Organizations like FEMA have been set up in many countries to help in the case of an emergency, but they cannot be relied upon to serve as the only means for solving the problems caused by environmental damages. The first step, according to Faure et al. (1996) is imposing punishment on individuals who are responsible for causing environmental damage. This can include government officials and even government agencies, but it is certainly not limited to these individuals and agencies (Faure et al., 1996). Economic punishments such as heavy fines and even other, harsher penalties can be imposed effectively on individuals or groups that are deemed responsible for environmental damage (Wilde, 2002). A fantastic example of a corporation responsible for environmental damage is the recent BP oil spill. BP is a corporation that has been recently held criminally responsible for one of the largest oil spills in history (Isidore et al., 2012). Making a mistake like the Gulf oil spill and well explosion was a costly one for BP: according to Isidore et al. (2012), BP will pay \$4.5 billion in criminal penalties to the United States government. "The fine" they write, "comes on top of \$20 billion that the company has agreed to pay into a trust fund to meet damage claims from the millions of gallons of oil spilled into the Gulf. It said it expects to pay

a final \$860 million into that fund this quarter” (Isidore et al., 2012). This type of financial incentive can be very powerful for corporations, especially because their entire goal is to make a profit-- and profit margins are slim when a corporation is being forced to answer criminal charges in court. Everyone has a responsibility to protecting the environment, and to protect the environment properly, it is important to provide incentives for individuals, groups, corporations, and governments to do so. Very few people do things for altruistic reasons; this is even more true of governments and for-profit businesses. However, one way that governments can indirectly remind people and corporations of their responsibilities to the environment is to fund programs that protect the environment (Ottinger, 1994).

Governments with the means already spend a lot of money funding not-for-profit groups, as well as educational programs and scholarships; with a heavier focus on environmentally-minded programs, the government can protect the environment in the future, as well as when disasters happen (Ottinger, 1994). During the Kyoto conference on environmental issues, many nations around the world banded together to create the Kyoto Protocol-- a set of rules governing carbon emissions and other pollution standards (Harvey, 2012). According to an expert on diplomacy and environmentalism, “ Kyoto certainly produced emissions reductions, but that was not the only achievement. It kept people's minds on the question of climate change, and it put in place a carbon trading system that has been very important in providing a model for emissions cuts” (Harvey, 2012). The Kyoto Protocol was groundbreaking not because it made protecting the environment any specific government’s job, but because it forced everyone

present at the summit to recognize environmental damage as a global problem. This global problem was presented in such a way that it assigned everyone in the world culpability on some level; it was, and is a problem that requires cooperation and attentiveness on every level to solve.

Environmental damage is not solely the responsibility of the government, but nor is it a problem that the governments of the world can entirely wash their hands of; it is a problem that affects everyone and everything on the planet. For a long time, people were in denial about the severity of environmental issues facing the world today, but that is no longer the case for the most part. Many governments and individuals are now agreeing that there must be change in environmental policies to ensure that the environment is protected for years to come. Unfortunately, while the ethical responsibility for keeping the environment pristine and undamaged does not lie with governments, the only feasible way to ensure that corporations and individuals comply with laws and good environmental practices is government oversight. While this does somewhat-unfairly place the responsibility for environmental protection on the shoulders of the government, the alternative is no environmental protection at all, which is certainly undesirable.

References

Faure, M. et al. (1996) Imposing Criminal Liability on Government Officials under Environmental Law: A Legal and Economic Analysis. *Loyola of Los Angeles International and Comparative Law Review*, 18 Available at: *Loyola of Los Angeles International and Comparative Law Review* [Accessed: 15th Feb 2013].

<https://assignbuster.com/argumentative-essay-on-is-environmental-damage-the-responsibility-of-the-government/>

Harvey, F. (2012) The Kyoto protocol is not quite dead. The Guardian, [online] 26th November. Available at: <http://www.guardian.co.uk/environment/2012/nov/26/kyoto-protocol-not-dead> [Accessed: 15th Feb 2013].

International City/County Management Association (2001) A Primer for Local Governments on Environmental Liability. [report] Public Entity Risk Institute.

Isidore, C. et al. (2012) BP to pay record penalty for Gulf oil spill. CNN, [online] 15th November. Available at: <http://money.cnn.com/2012/11/15/news/bp-oil-spill-settlement/index.html> [Accessed: 15th Feb 2013].

Ottinger, R. (1994) When Is Broad Too Broad? Environmental Legislation and Interpretation of Government Liability at Federal Facilities. William & Mary Environmental Law and Policy Review, 19 (1), Available at: <http://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=1343&context=wmelpr> [Accessed: 16th Feb 2013].

Shoup, A. (2005) FEMA Faces Intense Scrutiny. PBS, 9th September.

United States. (2006). Hurricane Katrina: a nation still unprepared : special report of the Committee on Homeland Security and Governmental Affairs, United States Senate, together with additional views. Washington, U. S. G. P. O.

Unknown. (2013) Corexit Dispersant Manufacturer Shielded From BP Spill Liability, Judge Rules. Associated Press, [online] 4th December. Available at: http://www.huffingtonpost.com/2012/12/04/corexit-dispersant-bp-spill_n_2238840.html [Accessed: 15th Feb 2013].

Wilde, M. (2002). Civil liability for environmental damage: a comparative

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analysis of law and policy in Europe and the United States. The Hague,
Kluwer Law International.