Sustainable Development Indicators and a Putative Argument for Law: A Case Study of the UK

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What gets measured gets done. If you don’t measure results, you can’t tell success from failure. If you can’t see success, you can’t reward it. If you can’t see success, you can’t learn from it. If you can’t recognize failure, you can’t correct it. And if you can demonstrate results, you can win public support.1

I. Introduction

Over the past 20 years sustainable development has evolved into a key, or in many cases, the key policy objective for governments, international bodies, businesses and individuals. Article 2 of the EC Treaty (Nice consolidated version) provides that, ‘[t]he Community shall have as its task…to promote throughout the Community a harmonious, balanced and sustainable development of economic activities’.2 Within the private sector, the websites and environmental reports for Walmart, Honda and countless other multi-national companies all herald their commitment to sustainable development.3 Yet the exact meaning of the term remains unclear. One of the attractions of the widely cited Brundtland definition: ‘development that meets the needs of the present without compromising the ability of future generations to meet their own needs’4 is its imprecision, which promotes an inclusive approach to policy making while still allowing for temporal and contextual variation. It also permits the interpretation to evolve over time. Indeed, the popularity and resilience of sustainable development can largely be attributed to its malleability. Most interpretations of sustainable development


work within the Brundtland formula but vary in relation to the emphasis placed on each of the three components of sustainable development: economy, environment and society. Disparities also exist about the nature of human needs now and in the future and technology’s role in meeting those needs. Contrary to claims that sustainable development is an ineffectual and meaningless goal incapable of tackling the challenges now facing the Earth, most of the research into its utility has concluded that it does serve a valuable role. True enough, sustainable development is an ineffective champion for environmental protection, for justice, for the economy or for human rights. These concerns need their own champions. Essentially, this author sees sustainable development as providing the forum “or table” to which important and more concrete objectives and values can be brought. For example, in the UK, at the moment, sustainable development currently provides a framework for decision-making structured and confined by 5 key principles: living within environmental limits, ensuring a healthy and just society, achieving a sustainable economy, promoting good governance, and using sound science responsibly.

Even the early rhetoric on sustainable development recognised the importance of measuring progress and sustainable development indicators (‘SDIs’) have long been seen as one of the essential tools for implementation. Indeed, following the 1992 Rio Summit on Environment and Development, countries were urged to ‘develop indicators of sustainable development’ in a way that would ‘contribute to a self-regulating sustainability of integrated environment and development systems’. This chapter’s analysis on SDIs reveals not only an impressive depth of knowledge surrounding what is considered good practice for indicator selection but also a fair bit of agreement. Yet, despite rhetoric to the contrary, this agreed good practice is often ignored by policy makers in relation to the actual SDI sets used. Though the focus is on the UK and its devolved administrations, broader themes are nevertheless noticeable and highlighted where relevant.

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7 Ross, above n 6.
9 Chapter 40(4) Agenda 21.