
Douglas A. Kysar
Yale Law School

Follow this and additional works at: http://digitalcommons.law.yale.edu/fss_papers

Recommended Citation
http://digitalcommons.law.yale.edu/fss_papers/391
For a few weeks late last year, the ecological interdependence of nation-states was on dramatic display as a fifty-mile-long benzene spill steadily worked its way through the Songhua River in northeastern China, eventually crossing the Russian border and threatening the primary water supply of some 500,000 residents of Khabarovsk. When global environmental disasters of this nature occur, the problems are not merely epistemological—those of determining scientifically whether and how much the chemicals endanger human and ecosystem health. The problems are also political and legal—those of sorting out where, by whom, and according to what standards the chemical spill can be challenged. And they are also deeply moral—those of somehow comparing the values at stake when individuals and groups claim the entitlement, or the desperate need, to pursue economic activities that may pose risks of harm to others downstream. Given these challenges, it is hardly surprising that most debates over globalization and the environment tend to become embroiled in misunderstanding and overheated exchange.

*Paths to a Green World: The Political Economy of the Global Environment* by Jennifer Clapp and Peter Dauvergne provides a welcome break from such dynamics. Their book seeks to offer the first extensive effort “to concentrate exclusively on the political economy of the global environment, striving to integrate the debates of the ‘real world’ of global policy and the ‘academic world’ of theory” (p. xi). The authors hope not only to provide an essential resource for academics and students in the underserved field of global environmental political economy, but also “to help scholars, bureaucrats, industrialists, and activists communicate in a common language” (p. xi) by carefully and dispassionately laying out the key positions that one finds in global environmental debates.

These ambitious goals are pursued, first, by developing an original typology of four paradigms or worldviews from which to approach global environmental issues and, second, by examining several of those issues in depth through the lens provided by each of the four paradigms. The four worldviews are those of *market liberals*, who pair classical liberalism with essentially laissez faire economic policy recommendations; *institutionalists*, who agree with much of the market liberal paradigm but who promote a larger role for multilateral institutions and global cooperation; *bioenvironmentalists*, who offer a contemporary, ecologically informed rendering of the 1970s era “limits to growth” perspective; and *social greens*, who see an inseparable linkage between issues of environmental law and policy, on the one hand, and issues of economic and political justice, on the other. Using these admittedly stylized worldviews, the authors proceed to analyze an impressive array of issues concerning globalization and the environment, including discussions of economic growth, political
integration, transboundary pollution, trade, multilateral lending and investment, debt relief, governance of transnational corporations, labor and environmental standards, gender equity, indigenous cultures, and poverty elimination.

The presentation of Paths to a Green World is meticulously even-handed, an admirable trait for any scholarly survey, but especially so for one that covers a topic as heated and politicized as globalization and the environment. Still, instructors who utilize the text—and many should consider doing so—will want to also consider assigning materials that emanate more directly from within the four worldviews and that do not so studiously shy away from strongly asserting normative arguments or from drawing conclusions based on existing empirical evidence. Readers who follow Clapp and Dauvergne’s discussion will come away with a nearly comprehensive map of the argument terrain in global environmental politics, but they may also come away somewhat numbed by the authors’ assiduously descriptive, noncommittal approach, wondering in the end what the fuss is about, given that all of our evidence seems inconclusive and our argumentation perpetually rebuttable.

Douglas A. Kysar
Cornell Law School


Is scientific discourse possible in the absence of shared language? Obviously not. In Understanding Institutional Diversity, Elinor Ostrom borrows a term to describe the state of discourse among those interested in the form and function of institutions: “babbling equilibrium.” This occurs when people use common language to express divergent ideas.

In this volume, which captures a great deal of Ostrom’s well-known work, the author aims to establish a shared vocabulary and grammar for discussions regarding institutions. It is a useful ambition. However, one wonders whether Ostrom’s system demands too much from potential users. If there is one thing we know, the babbling equilibrium is a stable one. Adopting Ostrom’s Institutional Analysis and Development (IAD) framework requires mastery of jargon (e.g., “holons,” “action arenas,” “ADICO”), making its use costly. And here’s the rub.

Like the commons problems Ostrom is so well known for studying, the “babbling equilibrium” can only be overcome if a language is adopted universally (or nearly so). Therefore, inaccessibility of any proposed lingua franca is highly problematic. Sad though it may be, there is a shortage of incentives for social scientists to worry about whether other scholars can synthesize their work with the existing body of knowledge. Combine the high costs of acquiring IAD fluency and the low rewards for doing so—especially in light