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The Greening of the Blue Collars

Tough-minded, hard-working American men, the kind who know how to strap a twelve-gauge shotgun onto the back of a pickup, could always count on a few magazines—*Sport Truck*, *Car and Driver*, and *Motor Trend*, for example—to stand up against doom-saying environmental and bureaucratic wimps. But in the same magazines that have long defended the oil and automotive industries against the likes of Ralph Nader and the Sierra Club, we now find a turn toward environmentalism.

The November 1989 issue of *Sport Truck*, for example, called on Detroit to provide technology that is friendly to the environment. "Even if performance has to be compromised by clean air legislation," an editorial conceded, "we're just going to have to bite the bullet. Because when our enthusiasm butts heads with our health, something has to give."

Car and Driver showed glimmerings of environmentalism even earlier than *Sport Truck*. For two decades the magazine railed against "safety twits," the Clean Air Act, "Eco-Fascists," endangered species programs, seat belts and air bags, speed limits, welfare cheats, and government regulations in general. In the November 1989 issue, however, columnist Brock Yates came out in favor of corporate average fuel-economy (CAFE) standards. "Like it or not," Yates wrote, "our beloved car is an irksome source of pollution, urban congestion, and excessive fossil-fuel consumption. Calls for an end to the CAFE standards—recently heard from no less an eminence than General Motors president Robert Stempel—seem selfish and simple-minded. I am no Greenpeacer, but I believe we face larger prob-

lems on this globe than the search for more horsepower-per-cubic-inch or the financial welfare of the auto industry."

In the August 1989 *Car and Driver*, William Jeannes, a columnist who historically echoed Yates's diatribes against environmental regulations, jumped on the bandwagon. "If you are concerned about planet Earth

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and the cars you drive on it," he wrote, "you understand that an efficient automobile is one that . . . contributes as little carbon dioxide as possible to fuel the greenhouse effect."

Of course, in supporting CAFE standards, *Car and Driver* did not lose all the old-time religion. It still fulminates volcanically against speed limits, air-bag and seatbelt requirements, and other government efforts to improve safety of any kind, especially highway safety. In the February 1989 issue, for example, Yates praised those Americans who will pick up a rifle before letting Big Brother tell them how fast they can drive their cars.

Why are environmental restrictions okay when all other regulations—especially safety regulations—remain anathema? How can anyone extol risk-taking and at the same time speak for the trees?

The obvious answer is that CAFE standards don't limit people's personal freedom to drive as they like. Rather, these standards seek to protect nature from pollution and, perhaps, to make America less dependent on the OPEC cartel. Accordingly, *Car and Driver*, in calling for tougher CAFE standards, does not necessarily endorse safety regulations, but supports Mother Nature, nationalism, patriotism, and so on.

About the time *Car and Driver* announced for the global environment, the London *Economist* cited a speech by Margaret Thatcher "that marked her conversion from Iron Lady to Green Goddess." Thatcher, the magazine added, was scarcely alone: "Hard on her heels trod Mikhail Gorbachev, who made the environment a theme of an address to the United Nations; George Bush, who built part of his election campaign on a promise to clean up America; and the EEC Commission, trying to outdo its member governments in greenery. Never have so many politicians seized so quickly on one idea."

The Shift in Public Opinion

Politicians, according to the *Economist*, are responding to an extraordinary shift in public opinion, apparent all over the world. Public opinion polls amply document this trend in the United States. A *New York Times*-CBS poll in June 1989 found 80 percent of those polled agreed while only 14 percent disagreed with the statement: "Protecting the environment is so important that requirements and standards cannot be too high, and continuing environmental improvements must be made at all costs." These results show a dramatic increase since 1981, when yeas and nays were nearly equal. Gallup polls and Roper and Cambridge Research Studies all show the same shift in public opinion.

What may strike us as surprising about the rush of politicians to the environment is that they need not (and often do not) change their other political colors when they paint themselves green. A conservative, for example, may defend the environment without becoming more liberal with respect to, say, the death penalty, abortion rights, or the drug problem. The environmental bandwagon—unlike gun control or abortion rights—

apparently has room for everybody. Environmentalism plays as well in Peoria as on Martha's Vineyard.

Where, then, does environmentalism fit in the political spectrum? A good deal may depend on how one characterizes or measures the concept of environmental concern. Scholars have long observed a tension, even an antagonism, between a prudential "conservation ethic," or "gospel of efficiency," which endorses long-run cost-benefit accounting, and a moral "environmental ethic," which rebels against utilitarian thinking, and which might be associated historically with Aldo Leopold and John Muir. This distinction can be drawn politically today between *prudential* and *ethical* environmentalism or, roughly, between those who seek to protect nature for the sake of exploiting resources efficiently and those who wish to protect nature for its own sake.

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The distinction between prudential and ethical environmentalism may help to explain an anomaly that has long puzzled social scientists. Environmentalism has become an overwhelming political force even though traditional American values and beliefs present obstacles to the development of any strong pro-environment orientation.

According to this analysis, as Americans squared off against the apparently limitless natural frontier, they formed a "dominant social paradigm" (to use Dennis Pirages' term) around values like materialism, unfettered progress, and personal liberty. Researchers have established that in many aspects, this dominant social paradigm—e.g., support for laissez-faire government, insistence on individual liberty, faith in science and technology, and commitment to economic growth—relates strongly, but negatively, to environmental concerns. Environmentalists themselves have called for a paradigm shift away from the basic values that built our society and that lie at the root of the ecological crisis.

Even today, social scientists and analysts reason that since lower-middle-class Americans firmly endorse the dominant social paradigm, and since this paradigm conflicts so deeply and thoroughly with a protective approach to nature, the lower-middle class has to oppose laws protecting the environment. Only upper-middle-class suburban professionals, who prefer the welfare state over the dominant paradigm, could favor environmental protection.

As early as the 1970s, however, several social scientists tested whether environmental concern was indeed rooted in the upper-middle-class intelligentsia. These writers quickly dismissed the idea that environmentalism is simply a crotchet of the upper-middle class. As Paul Mohai points out, "The link between the upper-middle class and environmental activism is a link between socioeconomic status and factors of political activism, rather than a link between the upper-middle class and environmental concern." Indeed, the most vocal, coordinated opposition to environmentalism comes from the top levels of corporate management; so one might argue, as Denton Morrison and Riley Dunlap do, that "the opponents of environmentalism come closer to being an elite than do core environmentalists."

Recent studies and public opinion polls point unambiguously to the conclusion that support for environmentalism is spread throughout the U.S. population as a whole. Environmental concern is surprisingly broad-based, cutting across nearly all socioeconomic categories.

A question arises, then, as to *why* environmentalism plays as well in Peoria as on Martha's Vineyard. Are the issues the same? Are lower-middle-class workers, farmers and small businessman in Birmingham and Baton Rouge defending the same environment as well-to-do liberals in Brookline and Bethesda? Are environmentalists motivated primarily by prudential concerns about safety, health, and the coming ecological crisis? Or have long-standing religious and ethical beliefs, which may be consistent with the dominant social paradigm, brought the lower-middle class into the environmental consensus?

It is reasonable to conjecture that if Americans in the dominant paradigm are optimistic, freedom-loving, risk-taking, wealth-seeking individualists, then they would tend to scoff at warnings about the so-called ecological crises. Faced with persistent ecological and environmental degradation in their own immediate communities, however, Americans may not so quickly dismiss concerns about the global environment. Love of community belongs to the dominant social paradigm, and people within that paradigm may regard the continuity of nature as necessary for the maintenance and the identity of the communities to which they belong. Security of a moral and visceral sort requires that nature—in a romantic and religious sense, not merely as a collection of resources—remain intact. It should be no surprise, therefore, that the environment has become a populist issue throughout the world.

Populism Affects Environmental Law

The National Wildlife Federation learned years ago that environmentalism extends well beyond the upper-middle class. Roughly two-thirds of the Federation's members are hunters and fishermen who live in the American heartland. These mainstream Americans generally voted for Ronald Reagan and presumably agreed with his conservative agenda. The other third of the membership, concentrated on the coasts, joined the Federation to support environmental protection. These urban professionals were horrified by the appointment of Anne Gorsuch at the Environmental Protection Agency and James Watt at Interior in 1981.

The Federation leadership wished to mount a political campaign against these appointments, but they were

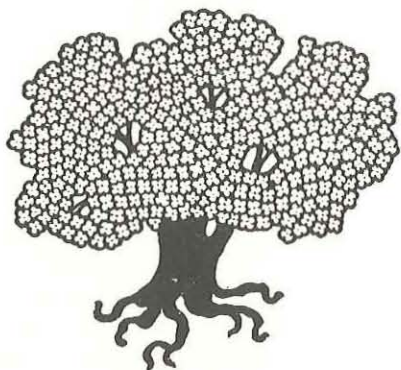
Drawing by Lorenz; ©1986
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"I think we agree, gentlemen, that one can respect Mother Nature without coddling her."

afraid of alienating their hook-and-bullet constituency. How could the Federation unseat Gorsuch and Watt, who epitomized the anti-regulatory views of a very popular president who had just been swept into office?

The Federation commissioned a survey to determine where their membership stood on the environment. The results were astounding: the hunters and fishermen stood with the urban membership in favoring strong environmental regulation. On the strength of these surveys the National Wildlife Federation threw itself behind the political effort that forced Gorsuch (then Burford) and Watt to resign and the Reagan Administration to appoint Ruckelshaus at EPA and deal more respectfully with the political might of environmentalism.



Congress, too, felt the winds of change. During the 1970s, it responded to the technocratic thinking that characterized urban professional elites by producing technocratic legislation. Congress wrote "command-and-control" statutes which told industry what sorts of pollution-control technology it had to install. These statutes raised up a phalanx of experts in everything from risk communication to mobile-source monitoring.

In the 1980s, responding to the more moralistic and engaged environmentalism of the lower-middle class—public resentment spurred by Love Canal, Times Beach, the dumping of Kepone in the James River, and so on—Congress restructured environmental legislation from prospective command-and-control strategies to laws based on retroactive liability and criminal penalties. Industries were put on notice not to contaminate or pollute except in permissible ways—or face severe legal penalties after the fact. In previous legislation, industry was permitted to do anything it was not expressly prohibited from doing. More recent laws reverse the approach, making industry strictly liable for any environmental problem it was not expressly permitted to create. Responsible parties are held liable for environmental contamination regardless of individual degrees of fault and regardless of the extent of the risk or hazard the contamination creates.

"The effect of these laws," according to environmental lawyer Adam Babich, "is to shift much of the responsibility for planning for a dangerous and uncertain environmental future to that segment of society most capable of finding innovative and efficient solutions—the private sector. Regardless of its perceiv-

ed fairness, if carried through, this approach will result in a quantum leap in the effectiveness of environmental laws."

Environmental laws that are enacted today—the Clean Air Act is an example—"cap" the amount of pollution to be tolerated and make industry responsible for determining how to lower aggregate emissions to respect those caps. The moral onus, backed by severe threats and penalties, lies on polluters to clean up; this outcome results from the moral crusade that began in the early 1980s, not from any expert judgment about benefits and costs.

Now that the moral crusade based on lower-middle-class attitudes has gained the day, what should industry do? How should polluters respond to an alliance between professionals and populists?

The Industrial Response

The old command-and-control laws had the advantage, for industry, that they did not work; they were far too cumbersome to implement or enforce. Their unenforceability, however, led to the even greater disadvantage that the public demanded something tougher. And so we have liability-based laws that are tougher—they may hurt industry far more—but they, too, may fail to promote a cleaner, more healthful, more "natural" environment.

It seems plausible to suppose that industrial associations such as the Chemical Manufacturers Association and the American Petroleum Institute should use their considerable power and expertise to support laws that work to clean up the environment in cost-effective ways. Laws of this kind may require industry to pollute only with a permit; they may also have to empower citizens' groups to enforce compliance with those statutes through the courts. At the same time, these

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laws would allow industry, e.g., through the use of permit-trading schemes and other market incentives, to ratchet down pollution to lower levels by the most efficient and least costly methods. Industry, bureaucracy, environmental activists, and the general public, including blue collars, are ready to support laws that get results rather than laws that simply appeal to particular ideologies.

Representatives from industrial and from environmentalist associations now have many interests in common. The primary goal must be to find a legislative and regulatory framework that will actually work to

control and eventually decrease emissions. Industry must support laws that make this kind of progress in cost-effective ways, or face further toughening of liability-based and criminal sanctions which, in the continued absence of progress, could become vindictive. Environmentalists, now weary of making the best the enemy of the good, no longer insist on statutes that promise the moon but, as a result, are so unrealistic that they defeat all prospects of actual progress. Environmentalists, therefore, must support a legislative and regulatory framework that gives us efficient improvement, even if it does not, say, solve the ozone problem in Los Angeles in five years.

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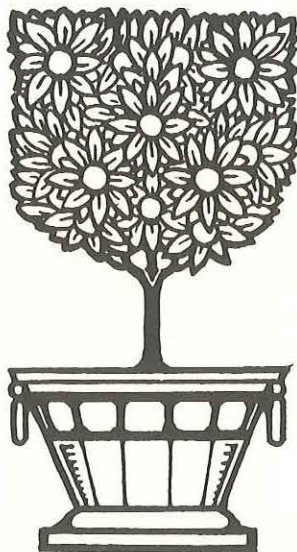
If environmentalists and corporate executives have these strong interests in common, why, then, don't they work together? Part of the reason is cultural: these groups have a long history of mutual suspicion and antagonism. Another problem, however, arises from the growth of industries that live off this antagonism. Public relations firms, for example, must describe environmentalists as fire-breathing dragons in order to get large retainers from industry to slay or tame them. If environmentalists and executives worked together for common legislative purposes, they would overcome the distrust that makes business for public relations firms. There would be no dragon to slay.

If environmentalists and corporate executives cut a political deal, for example, to pursue workable statutes, they would eliminate much of the work not only of public relations experts but also of experts in risk assessment, risk analysis, risk management, risk communication, and so on. The idea behind workable laws is to make the environment safer, cleaner, and more "natural" in enforceable but cost-effective ways. We can do this without supporting an establishment of theorists to answer questions—like "How safe is safe enough?"—that no one will ever answer because they always require more research.

It is time, then, for business leaders and environmental leaders to deal directly with one another, without the benefit of academic and public relations experts who have made a niche for themselves by forcing these two sides farther apart. We have the necessary experience with environmental law—we have learned enough by trial and error, which is the only way—to write statutes that work. This kind of experience, if we rely on it, can turn opposition to cooperation between industry leaders and environmental groups in restructuring environmental law.

— Mark Sagoff

Sources used in preparing this article include: "The Politics of Posterity," *The Economist* (September 2, 1989); *The Rising Tide: Public Opinion, Policy and Politics* (1989), section 5; Holmes Rolston, *Environmental Ethics* (Philadelphia: Temple University Press, 1988); Eugene Hargrove, *Foundations of Environmental Ethics* (Englewood Cliffs, N.J.: Prentice Hall, 1989); Dennis C. Pirages, "Introduction: A Social Design for Sustainable Growth," in D.C. Pirages, ed., *The Sustainable Society* (New York: Praeger, 1977); Diane M. Samdahl and Robert Robertson, "Social Determinants of Environmental Concern," *Environment and Behavior* 21 (1)(1988); Denton E. Morrison and Riley Dunlap, "Environmentalism and Elitism: A Conceptual and Empirical Analysis," *Environmental Management* 10 (5)(1986); Paul Mohai, "Public Concern and Elite Involvement in Environmental Conservation Issues," *Social Science Quarterly* 66 (14)(1985); and Adam Babich, "Restructuring Environmental Law," *Environmental Law Reporter* 19 (February 1989).



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Sharing the Burden of Global Warming

When representatives from governments around the world sit down to negotiate a global-warming treaty, debate will center on how the burden of adjustment can be shared fairly. By "burden" we mean a combination of costs and risks. Since a decision to limit greenhouse-gas emissions would mean reducing reliance on fossil fuels and investing in alternative technologies, the costs could be substantial. On the other hand, the longer emissions go uncontrolled, the greater the risk of economic and ecological dislocations from flooding, changing weather patterns, and the loss of species.

The burden of costs and risks must plainly be distributed in some manner, and any realistic policy will probably combine elements of both. What, then, do we mean by a *fair* distribution of the burden?

The fact that the atmosphere is currently treated as a global commons, whose use is largely unregulated, does not imply that nations, firms, or individuals have the right to continued free access to it.

This highly sensitive questions cuts along a political fault line that separates nations in many other respects: North versus South, industrial versus agricultural, rich versus poor. The developing world naturally blames the greenhouse-gas buildup on developed countries, which have been spewing industrial effluents into the atmosphere gratis for well over a century now. The industrialized countries, in turn, blame some of the poorer nations for pursuing development policies that accelerate a dangerous trend. An international agreement on global warming would have to find some way to balance the disparate claims of these two groups.

In this article we shall use the theory of fair allocation to explore various solutions to the burden-sharing problem. In the process, we must leave aside other important issues, such as the magnitude of the economic dislocations that might occur, how they would be distributed geographically, and how much it would cost to avert or mitigate them. Great uncertainty surrounds such projections, mainly because scientists still

know very little about the long-run effect of greenhouse-gas emissions on the biosphere. This very uncertainty leads some to conclude that no action should be taken. We, however, maintain the contrary: the level of uncertainty serves to increase, rather than reduce, the degree of concern.

The risk of catastrophic dislocations, improbable though they may be, creates a powerful incentive for taking action to reduce risk. It may be improbable, for example, that methane released from the melting permafrost would cause a significant rise in ocean levels by the middle of the next century. Nevertheless, the costs of such a catastrophe would be so immense that it would make sense to try to forestall it. Even if we can't be sure that the benefits of such a policy outweigh the costs (measured in strictly economic terms), the policy might still be advisable. Stabilizing global climate is a form of insurance. And just as we buy life insurance policies out of concern for our children, so we pursue environmental policies at least partly out of concern for future generations.

What Counts as Fair?

Though standards of fairness vary from one situation to another, they play a critical role in coordinating people's expectations and legitimating the solution they reach. Suppose, for example, that two municipalities contribute different amounts to build a road connecting them. If the project costs more than expected, the two parties will almost certainly split the additional costs in proportion to their original contributions; for this is how cost overruns have usually been allocated in similar cases.

It doesn't matter if a standard is peculiar to a specific negotiating environment, just so long as everyone involved understands and abides by it. Even if there are no exactly parallel precedents, negotiators may reason by analogy from related cases. The precedents that have been established in analogous cases therefore become crucial in determining what the bargainers regard as a fair and appropriate outcome in the present case. Unfortunately, this means that negotiators find it harder to agree when they come from different cultures and are discussing an issue with few precedents. These are features of international negotiations in general and of global-warming negotiations in particular.

In asserting that there is no universally accepted rule for sharing a burden, we do not mean to suggest that