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Citation for published version:

Hayward, T 2019, 'Meeting human need under ecological constraints: Justice as a radical challenge' *British Journal of Politics and International Relations*, vol. 21, no. 2, pp. 287-294. DOI: 10.1177/1369148119827252

Digital Object Identifier (DOI):

[10.1177/1369148119827252](https://doi.org/10.1177/1369148119827252)

Link:

[Link to publication record in Edinburgh Research Explorer](#)

Document Version:

Peer reviewed version

Published In:

British Journal of Politics and International Relations

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Meeting Human Need Under Ecological Constraints: Justice As A Radical Challenge

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[No external funding; no conflict of interest]

Keywords:

Climate change

Henry Shue

Global justice

Financial markets

Ecological debt

Ecological space

It is an honour to be invited to respond to a paper by a political philosopher who so much helped shape my own, and many others', understanding of the purpose of political philosophy in the world today. The seminal contribution under discussion here exemplifies that purpose. Yet notwithstanding its significance, Henry Shue starts his reflection on it with characteristic modesty, by suggesting it be seen in the light of two qualifications: he stands on the shoulders of giants, and he has not broken all the way through. I propose to pursue the thought that those shoulders might support us in pushing further through, if we persevere with the lines of thought that Shue has advanced, as long as we are alert to the possibility that more radical change than he discusses may be required.

The problem that I shall suggest still requires further thought lies with the lack of economic incentives to tackle climate change. Shue is acutely aware that economic forces in the world are not, on the whole, pushing in the right direction regarding climate change, and yet he does find some reasons to be hopeful. In particular, he notes: 'the prices of renewable energy have declined far more rapidly than anyone expected ... and the alternative technologies are growing significantly in sophistication while dropping in price.' This sounds like good news, and something potentially to build on as an exit strategy from climate disaster. Unfortunately, though, I think we may need to be cautious even about this apparent good news.

The advantages flagged by Shue are both expressed in terms of *reduced prices*. This is a matter that one needs to examine a little more closely before simply granting an assumption that it is good news. It may be that costs are reducing because of efficiencies in technologies that produce or consume energy, which in principle is to be welcomed, but there are two general questions to consider: what of the costs of depending on those technologies – in human and in ecological terms; and what if the apparent financial gain is itself in some way deceptive or misleading? In addressing these two general questions in turn we will find that the perspective that initially influenced Shue's breakthrough may still have critical insights to yield.

I

Regarding the first general question, Shue is alert to the need for caution about potentially unnoticed costs of technological solutions. They can involve quite direct threats to subsistence rights. Central to the various scenarios for a non-carbon economy considered in IPCC reports, he notes, is the role of technologies producing bioenergy combined with carbon capture and storage [BECCS]. He is aware of serious concerns about BECCS given that it is 'extremely land intensive and water intensive and therefore likely competes with food for

both land and water.’ The scale of land use involved, he says, would be ‘from one to two times the size of India’. ‘Whose land and water is to be used for BECCS,’ he asks, ‘and by what political process is control of it to be acquired?’ This kind of question, it seems to me, may just be too radical even to ask in the institutional context that currently exists. Surely, the transformation of social, economic and geographical arrangements implied goes beyond anything that one could envisage being compatible with any institutional arrangements as at present dominated by the Global North?

Even supposing specific measures within the existing system to mitigate climate harms could achieve greater success than a sceptic might anticipate, there is a further and distinct reason for caution. This comes into view when we ask what may seem to be a rather surprising question, namely: *Why are we so concerned about climate change?* The question I have in mind here is not that of a ‘climate sceptic’ who would have us not be concerned. In fact, it can be posed directly on the basis of an account of why climate change is such a serious issue that we should probably be very much more concerned, namely, that provided by Rockström et al (2009), who show it to be one of the most urgent ecological problems we face today. The point I would highlight is that it is one of the *nine* major areas of concern they identify. So, to state my question more fully: *why are we so concerned about climate change when we show comparatively so little concern about the other serious threats to life on our planet, including some that may even be more urgent?* According to interdisciplinary teams of scientists, not only climate change but also land system change processes are already operating beyond safe bounds, and this clearly sets a very serious constraint on the strategy Shue mentions. Yet there are two further categories of ecological processes that are at even more imminent risk, namely, ‘biosphere integrity (in particular genetic diversity) and biogeochemical flows (specifically nitrogen and phosphorus flows to the biosphere and oceans as a result of various industrial and agricultural processes)’ (Lewandowski et al 2018).

To highlight these points is obviously not to deny the importance of specialist research and campaigns for climate protection and climate justice. It is, though, to urge clarity about the degree to which these should be seen as either special in relation to, or as proxies for, the more comprehensive set of ecological problems that humanity – through its high pressure mode of production – has created for itself. Attempts to deal with the climate problem could just make other problems even worse if undertaken without due awareness of those other problems. So a reason Shue’s breakthrough is hard, even theoretically, is that it is not only about dealing with climate in a manner consistent with elementary social justice; it has also to be in a manner consistent with other ecological imperatives.

Here it is worth recalling where Shue originally found the inspiration for his breakthrough idea. The two thinkers Shue cites – Anil Agarwal and Sunita Narain – were

writing from India, a part of a world where subsistence rights are a pressing concern, whose people have endured colonial subjugation, and which today finds itself at various structural disadvantages in the world system. For simplicity, we may refer to that other world as the Global South. Narain today still presses the case for subsistence rights over those of luxury, but by no means limits attention to carbon emissions. She presses the wider case of what she calls *environmentalism of the poor* (Narain 2011). This movement includes innumerable struggles in India – as in other parts of the Global South – against what David Harvey (2004) calls *accumulation by dispossession*. Narain emphasizes how local communities who fear loss of livelihoods have much wider and more tangible concerns than climate change or emissions quotas. She sees these communities today as spearheading India's environmental movement. These are people pushed aside, not only by conventional industrial development but also by these schemes that involve altered land use to meet climate agreements. Their immediate loss of livelihood and amenity is inextricably linked with wider ecological devastation. She also stresses their belief that ‘development’, as pursued by the capitalist world, will only make them poorer. That mode of ‘development’ depends on extracting ever more of the world’s natural resources, or, in other words, destructively utilizing and thereby diminishing, what I refer to as the world’s ‘ecological space’ (Hayward 2007; 2016).

So there are serious questions about whether the ostensible cost savings deriving from enhanced technological efficiencies as referenced by climate policy makers necessarily are clear benefits in either human or ecological terms more widely.

II

The second question I flagged for discussion is whether the apparent financial gain represented in cost savings Shue indicates as grounds for optimism is itself in some way deceptive or misleading. Shue himself highlights part of the problem of how monetary valuations can be distorted:

‘Where fossil fuels remain more affordable, it is usually because of outrageously counter-productive subsidies provided misguidedly, if not simply corruptly, by governments out of public funds - another grotesque political failure.’

I would ask whether the failure might go deeper. To be sure, known factors like lobbying, revolving doors, backhanders, and the like would be obvious influences on politicians, but we might also be alert to the difficulties of even getting public-spirited politicians into power when corporate interests exert influence over selection processes within political party structures. It may even be that the problem is more insidious still, for decisions as to what gets taken into account, and on what basis, are fundamental questions that have to be framed

prior to embarking on any kind of accounting exercise. Numbers on a page never tell their own story: what they represent is a matter that involves a host of decisions, negotiations, assumptions, aspirations, values, concepts, and methods to settle; and, once settled, some simplifications in the application are likely to make possible all kinds of manipulation and gaming. In short, there is likely to be a great deal of manipulation and contestation underlying the apparently implacable authority of numbers in accounts.

Even assuming higher levels of good faith and probity spread throughout the practices of businesses and politics than might truly be prudent to assume, there are still complexities involved. The designation of units of account involves homogenization and quantification across a world of substantively distinct phenomena that may stand in myriad complex relationships with each other. This applies when thinking how to go about detailed carbon accounting, and is compounded when other ecological elements are entered into consideration. Yet the drive of policy makers is always towards some settled means of *measurement*. Insofar as this must involve quantification of units of measurement, it will necessarily at some point involve an atomizing method of conversion. Thus even when other elements of ecology are entered into consideration, it is still in that same atomizing manner that is directed, not to a thorough understanding of the whole in terms of its constituent interrelationships, but simply to converting elements of the natural world into accounting units. Thus we find that Boyd and Banzhaf, for instance, defend a definition of “ecosystem” that is frankly ‘derived from a desire for consistency between conventional market accounting units and ecosystem accounting units’ (Boyd and Banzhaf 2007: 626).

By highlighting those considerations I am not seeking to make a dismissive argument about environmental accounting in general, but merely pointing to the necessarily provisional and contestable *authority* of any particular method or application of it. The purpose in doing so is to counsel a cautious attitude to claims based on accounting systems. Clive Spash has emphasised a need for this with regard to the Stern Review. The authors of that report articulate the ideas of a liberal economic framework as applied to climate change, and these have been influential for the work of the IPCC. Stern seeks to show that there are monetary costs of failure to act. Yet the numbers presented as showing this are highly arbitrary, Spash argues, being ‘based on a variety of ad hoc assumptions’ (Spash 2007: 708).¹ The control of greenhouse gas emissions is presented as a good investment with positive returns by the Stern

¹ The Stern Review does in fact acknowledge that there are large uncertainties, that models are merely illustrative, and that the model results ‘should be treated with great circumspection’; it even warns of ‘a danger that, because they are quantitative, they will be taken too literally. They should not be.’ Despite this, however, the authors maintain that ‘if the model is to quantify the full range of effects, it must place monetary values on health and the environment...’ (Stern, 2006: 144).’

Review authors, who emphasise how climate change presents opportunities for financial markets.

‘Capital markets, banks and other financial institutions will have a vital role in raising and allocating the trillions of dollars needed to finance investment in low-carbon technology and the companies producing the new technologies.’ (Stern, 2006: 270)

Stern suggests this would promote cost-effective reductions in emissions and bring forward action in developing countries, making it possible to ‘drive flows amounting to tens of billions of dollars each year to support the transition to low-carbon development paths.’ Yet to work out estimates of transition costs and quantities of flows potentially mobilised is not the same as ensuring that the money raised will be dedicated to meeting the ends in question. The fact there are profits to be made by some economic actors cannot be regarded as equivalent to a claim that appropriate compensatory benefits for others will be achieved. While financial institutions may make billions, along with carbon traders, energy suppliers, and other entrepreneurs who spot opportunities, it is another question whether substantial amounts would be ploughed into *ecologically* sustainable productive developments.

Meanwhile, carbon markets themselves work to redistribute emissions rather than to reduce them. Moreover, if it is the case, as Shue notes Dieter Helm argues, that ‘the fossil fuel industries are doomed in the long run’ and that ‘Exxon, Shell and BP will not be around in anything like their current form by mid-century’ this is not necessarily a reason for climate optimism. Helm (2015) cautions not to expect much progress very soon, or in timely fashion, and he does not encourage belief that the so-called ‘stranded assets’ considerations² will carry practical weight with companies or markets in the shorter term, emphasising, instead, that meaningful governmental measures have to be taken to restrict emissions. Furthermore, it could be wise not to underestimate corporations’ capacity to adapt to government restrictions. As David Miller and William Dinan have shown, the fossil fuel giants have between them adopted two divergent strategies of corporate resistance to meaningful climate action. On the one hand there is the overt sponsorship of climate skepticism, or ‘contrarianism’, which was a prominent strategy particularly in the US and on the part of oil giants like Exxon Mobile and super-rich investors like the Koch Brothers. On the other hand, there is a ‘strategy of a range of other corporations in the oil and associated industries, which has not denied the evidence that climate change is largely caused by human activity, but has sought to manage responses

² ‘There are a wide range of current and emerging risks that could result in “stranded assets”, where environmentally unsustainable assets suffer from unanticipated or premature write-offs, downward revaluations or are converted to liabilities. These risks are poorly understood and are regularly mispriced, which has resulted in a significant over-exposure to environmentally unsustainable assets throughout our financial and economic systems.’ (Ansar et al 2013: 2)

to protect their interests. We refer to this strategy as the attempted corporate capture of environmental policy.’ (Miller and Dinan 2015: 97) This latter strategy is of a kind that relies heavily on public relations activities that could well be described as propagandistic. It involves dictating the terms of debate and thus controlling what is ‘thinkable’ in terms of apparent state-of-the-art knowledge. Notable results, according to observers, have included achieving a policy focus on ‘sustainable development with the accent not on sustaining the planet and the human species – ‘conservation’ – but on ... sustaining capitalism with an environmental tinge.’ (Miller and Dinan 2015: 101-2) Miller and Dinan emphasise that establishing this shift in policy circles took ‘enormous communicative effort by corporations and their peak business associations, targeted at key decision-making and policy-planning fora (such as the World Summit on Sustainable Development and COP conferences), and transmitted via policy planning networks and think tanks.’ (Miller and Dinan 2015: 106) They cite research on how key corporations, government agencies, NGOs and other intellectuals and experts combined ‘to establish the norms and policies of a new (and clearly neoliberal) climate regime. The emerging worldview is one where climate mitigation is understood in terms of ecological modernisation, allowing for ‘win–win’ scenarios for those businesses best able to adapt.’ (Miller and Dinan 2015: 106)

Once one starts integrating such wider social scientific insights into the formation of policy discourses, the extent and depth of grounds for critical concern increase. While I do not claim expertise in these wider areas, I do think it is salient to notice how the conceptual frameworks adopted by political philosophers are influenced by the framings and priorities shaped in public debate from sources of influence that are not always or necessarily transparent nor disinterested. The work of Larry Lohmann has done much to focus attention on this matter, and Chris Lang (2010), for instance, has highlighted potential conflicts of interest relating to people who have helped shape the UNFCCC itself. The Canadian activist investigator Cory Morningstar, meanwhile, has pointed out how well-publicised and well-funded campaigns for divestment from fossil fuels simultaneously involve promotion of investment in ‘green’ technologies, like carbon capture and storage, that may prove to be as problematic in their way as what they replace.³

It therefore seems prudent to be aware how we as academics may be liable to recirculate revisionist ideas that we should perhaps be rigorously scrutinising. It is certainly worth reflecting on how we reassure ourselves as to the quality of the scientific understanding

³ Although Morningstar does not write as an academic, the critical questions she raises about the sorts of organization and assumption political philosophers tend to rely on in their applied reflections seem to me potentially too serious to ignore. Her investigations include the findings in a 17-part series of blog posts entitled ‘Mckibben’s Divestment Tour – Brought To You By Wall Street’ (Part 1, with links to other parts, here: <http://www.theartofannihilation.com/mckibbens-divestment-tour-brought-to-you-by-wall-street/>)

that we assume. For instance, if we enter into the project of working out how, ethically, to keep global warming to within 2°C, are we clear enough why? Joni Seager has suggested the target emerged somewhat mysteriously, with ‘considerable uncertainty about when and why the notion took hold that 2°C of global warming is an appropriate target threshold for climate change policy.’ (Seager 2009: 12) Her view is that ‘the 2° target has been contrived and deployed primarily as a policy and economic trade-off point.’ (Seager 2009: 13) The target is arbitrary with respect to the differentiated impacts of climate change, and especially as between rich and poor, and Seager thinks the rationale follows the logic of a kind of economics that is oriented to serving some quite particular interests.

However that may be, I do believe that ethicists should consider what lessons can be learned from different kinds of economics – in particular, ecological economics, understood as a multi-disciplinary and substantively focused kind of endeavor which does not seek to commensurate incommensurable values or reduce qualitatively natural phenomena to quantifiable units suitable for purposes of commodification. Such approaches to economics can integrate in much more thorough going ways the concerns of the poor, as is emphasized, for instance, in campaigns featuring the concept of *ecological debt* (Hayward 2008).

Shue, of course, has always argued strongly against succumbing to the illusions of ‘ecological modernisation’, and the whole point of his subsistence emissions argument is to keep a focus on *what people really need*, rather than on what is functional for a capitalist economy. He is acutely aware that when *we*, as political philosophers, want to make concrete suggestions about how the world might become more just in reality, it is necessary to be duly cautious about the empirical assumptions we allow. In his paper he is explicit about the consequences otherwise: ‘One way in which normative theory can guarantee being irrelevant is to keep discussing the same formulations of the issues while the world moves on.’ What I think also needs to be highlighted is that the world does not all necessarily move at the same pace or in the same direction. Recognition of this is, of course, foundational for Shue, insofar as it motivates the moral priority he advocates for requirements of subsistence over mere desires for luxury. But if the practical goal is to impede or reverse the trajectory of the affluent parts of the world then the moral imperative thereto has to find institutional implementation. My concern is that his paper tacitly accepts the institutional framing that we have inherited as part of a worldview deeply imbued with neoliberal values and, more critically perhaps, neoliberal framing concepts. I recognize that Shue is seeking to be realistic about immediate institutional possibilities. So although his ethical position might lend support to a more ecological and socialist view of the world, as its ideal, a degree of purposeful pragmatism commends working with what we’ve got. My concern, however, is that what we’ve got might just be too little to work with.

III

My final thoughts, then, turn to questions about the trajectory that needs to be followed in order to *break further through*.

The reasons for distinguishing subsistence rights from luxury rights should not be separated too much from wider concerns of an environmentalism of the poor against that of the rich. Arguably, this is what has happened in policy framings adopted by an ‘international community’ that is dominated by interests aligned with capital. A crucial part of the subsistence/luxury distinction has to do with the lack of a meaningful correlation between real economic benefit *to human beings* and quantity of emissions used in achieving it. In the final analysis, in order to maintain a healthy environment, our economic activities need to be organized with the direct purpose of achieving it; similarly, to ensure subsistence needs are fulfilled, that has to be pursued as a direct objective. As long as these things are supposed to be fortuitous byproducts of neoliberal business as usual there is little good reason to expect they will be achieved.

Shue’s ethical idea of what justice requires he expresses in the simple imperative: “*make room!*” This expression – *to make room* – is used in all sorts of everyday situation, none of which could be confused with “*build a new room as an annex!*” When we “make room” we do not literally *make* something in the sense of building; what we do is *use* more ‘economically’ the space that we are *occupying* so that others can enter it and benefit from it too. To make room within a given physical space is to treat that space differently; we can increase the *room* in a given space without altering its boundary dimensions by instead altering how we use the space. An idea of this kind was at the heart of the article in which I commented on Shue’s original case for a human right to subsistence emissions. The idea of ‘*ecological space*’ serves to indicate the ecologically usable ‘room’ – or *niche*, as it would be conceptualised in this context, where what is at issue is the set of conditions needed for any species – to live and flourish. The distinctive human problem arises from the distinctive human gift: we can expand our ecological *niche* beyond what ‘unaided nature’ had equipped us to survive or flourish in (Hayward 2013: 234). Thus we can live a luxurious and highly fulfilled life amidst millions of others in a concrete conurbation the size of Manhattan Island thanks to our ability to utilise ecological space at a distance and with innovative intensity. But New York City life is only possible thanks to the contribution of a vast hinterland – within wider America, and beyond – that bestows the functional benefits of its own geographically located ecospace. Nothing about that lifestyle is generalizable across the world’s population, for planet earth has no comparable hinterland. In global terms, the

Manhattan lifestyle is profoundly *luxurious*. It is a luxury the planet can only afford in small doses; it is a luxury that cannot be extended across much of the world's population without courting ecological disaster; it is a luxury that *would* never be extended to more than a few according to the immanent imperatives of the monopoly system of highly financialised capitalism. This means that probably the very last place we should look for a model of a sustainable future is Wall Street! We should certainly look cautiously and with a critical eye at any proposals for sustainability that emanate from or have enthusiastic support from that quarter – which the marketization of environmental protection services does. By thinking of climate protection in terms of discrete measurable and commoditised units – emissions rights – political philosophers may risk acquiescing too fully in that way of thinking. Perhaps we should instead keep in mind that the rights sought by the poor and oppressed have to be struggled for, since those with the power to withhold or restrict them typically do that. Power today is increasingly concentrating in the hands of a corporate elite, who are gradually creating a privatised global ‘constitutional’ order above the level of states and thus of *any* political control (Teubner 2011; Isiksel 2016). Even those of us who are part of the affluent world today might do well to realise that our own future depends on radically transforming this perverse world order.

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