



Subscriber Services





Search Kansas.com Archives Web powered by **YAHOO! SEARCH**

Welcome, **Guest**
[Log In](#) | [Register](#) | [Sign in to Classifieds](#)

Jobs

Cars

Real Estate

Apartments

Local Shopping

Newspaper Ads

Real Estate Ads

Automotive Ads

Classified Ads

Place an Ad

Find an Ad

Legal Notices

Find a Job

Keywords:

(e.g., registered nurse)

Location:

Wichita, KS



News

Sports

Entertainment

Business

Living

Opinion

Cartoons

Opinion Line

Blogs

SITE SERVICES

Contact Us

Newsroom

Buy Photos & Pages

Celebrations

Eagle Section Fronts

Advertise

Archives

Discussion Boards

Maps & Directions

Mortgage Rates

RSS & 

Yellow Pages

PARTNERS

Newspaper in Education

Opinion

Opinion

Posted on Sat, Jun. 28, 2008

 e-mail
 print
 RSS
 reprint

 AIM
 Digg it
 del.icio.us
 Facebook

ROBERT L. GLICKSMAN: CONSERVATIVES FLIP-FLOPPED ON CAP-AND-TRADE

BY ROBERT L. GLICKSMAN

It wasn't long ago that conservative critics of environmental regulation -- including the industries that pollute the nation's air, water and land -- claimed that a market-based approach was the only sensible way to control environmentally damaging activities. Earlier this month in the U.S. Senate, that's exactly what was on offer, in the form of a cap-and-trade system for limiting the greenhouse-gas emissions that cause climate change. But when presented with a bill adopting the approach they'd once championed, the conservatives refused to take "yes" for an answer.

During the 1970s and 1980s, conservatives railed against efforts to protect public health and the environment, deriding emissions restrictions as "command-and-control," even "Soviet-style," regulation. They promoted such market-based solutions as emissions-trading markets, which were superior because they would achieve environmental protection goals more efficiently.

A cap-and-trade system was their preferred approach. It would allow those with low costs of controlling pollution to limit their emissions more than traditional environmental regulations would have required, and then to sell their excess "allowances" to those with high pollution-control costs. Those who purchased allowances would satisfy their legal obligations by buying emission allowances instead of limiting their emissions.

Progressives were skeptical at first. They feared that emissions trading would amount to little more than a shell game in which polluters exchanged "credits" or "allowances" on paper, obscuring the fact that no real environmental progress was being made. They also argued that polluters ought to be required to reduce emissions as much as they could, a standard inconsistent with a system in which polluters can buy their way out of emissions-control obligations.

Ultimately, in 1990 Congress decided to give the approach a try, creating a cap-and-trade program for electric utilities aimed at controlling acid rain.

By most accounts, it succeeded in reducing acid-rain-causing sulfur dioxide emissions effectively and efficiently. Other emissions-trading programs implemented by state officials were less successful, in part because of the difficulty of monitoring the sale and purchase of allowances.

Nevertheless, the acid-rain experience convinced enough people -- including some environmentalists previously skeptical of emissions trading. As a result, the major climate-change bills introduced in Congress this session centered on a cap-and-trade program for reducing greenhouse-gas emissions.

This month, the Senate debated such a bill, with bipartisan sponsorship by Sens. John Warner, R-Va., Joe Lieberman, I-Conn., and Barbara Boxer, D-Calif.. The hue and cry against the bill from industry and its conservative allies in Congress was deafening.

Notably, their arguments against cap-and-trade echoed the ones they made about "command-and-control" approaches. Suddenly, the market-based approach they'd championed in the past was a manifestation of economy-wrecking, "big government," tax-and-spend liberalism.

The plain truth is that these critics will find something to attack no matter what form environmental protection legislation takes. They are more concerned with protecting what they regard as the property "right" of polluters to make a profit by fouling our air, land and water than they are with controlling polluting activities that threaten our health and destroy the environment.

Robert L. Glicksman is a professor of law at the University of Kansas.

REAL Cities

Visit other Real Cities sites

[News](#) | [Business](#) | [Sports](#) | [Entertainment](#) | [Living](#) | [Shop Local](#) | [Classifieds](#) | [Jobs](#) | [Cars](#) | [Real Estate](#)
[About Kansas.com](#) | [About the Real Cities Network](#) | [About the McClatchy Company](#)
[Terms of Use](#) | [Privacy Policy](#) | [Copyright](#)