

Review: *The Global Commons: An Introduction*

by Susan A. Buck

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Buck, Susan A. *The Global Commons: An Introduction*. Washington DC: Island Press, 1998. 225pp. US \$25.00 paper ISBN: 1-55963-551-7. US \$50.00 cloth ISBN: 1-55963-550-9.

Common pool resources present some of the most intellectually interesting and practically demanding resource management problems in the world today. The management requirements of other types of resources are reasonably well understood, at least in principle, if rarely attained in practice But "absolute sovereignty is an idea whose time has passed" (p 28) and an understanding of the issues associated with the global commons - the final frontier on the planet - is of increasing relevance as population levels and per capita consumption continue to grow and put increasing pressure on the resource.

Susan Buck examines five global commons cases in this book: Antarctica, the oceans, the atmosphere, outer space and telecommunications. These share a number of ownership and international management characteristics. The historical development of the accepted international law and the present status of international treaties governing each is outlined and analyzed.

Not that there is any great uniformity in the cases examined. In some cases the legal concepts are of great antiquity: the Romans had a clear view of the law of the sea for instance. In others, outer space and telecommunications for example, management rules are recent. The nature of the legal systems is also varied. There has been a move towards formal agreement in all the sectors examined, and this is particularly advanced in the most recently developed sectors like telecommunications. On the other hand codification of customary law remains incomplete in other sectors, especially in the case of the law of the sea where the failure of the some of the leading developed countries to sign the Law of the Sea Treaty has seriously weakened the worth of the third United Nations Conference on the Law of the Sea. The extent to which international law is effective in dealing with environmental problems also varies. Air pollution is rather poorly managed by the legal

regime, outer space is comprehensively managed. Even the defining resource characteristics differ from one example to another. The author discusses whether one of her cases, the atmosphere, really is an example of a global commons - and decides it is not. (However, the intrinsic interest of the chapter supports her decision to include it!)

The case studies are presented in the context of the historical development of law and analysis of institutional structures. The first chapter defines terms and concepts relating to the analysis and legal control of common resources. The second establishes the framework for analysis based on the development of the legal framework. Regime theory is briefly outlined but the institutional/legal concept which provides the framework for the case studies is Institutional Analysis and Development, which suggests that institutions operate at three levels of analysis: operational, collective, and constitutional.

Although this is a short book, both the conceptual discussion and the case studies are valuable additions to the literature for the non-specialist.

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