

Libertarians are, of course, deeply suspicious of government regulation. This may lead to a reflexive rejection of climate change mitigation. But [Jonathan Adler](#), who provides a refreshingly distinctive view of environmental law from the Right, argues otherwise. In a forthcoming article (only the abstract is available on SSRN), he contends that libertarians are making a mistake in opposing climate mitigation:

[E]ven if anthropogenic climate change is decidedly less than catastrophic – indeed, even if it net beneficial to the globe as whole – human-induced climate change is likely to contribute to environmental changes that violate traditional conceptions of property rights. Viewed globally, the actions of some countries – primarily developed nations (such as the United States) and those nations that are industrializing most rapidly (such as China and India) – are likely to increase environmental harms suffered by less developed nations – nations that have not (as of yet) made any significant contribution to global climate change. . . . As a consequence, this paper suggests a complete rethinking of the conventional conservative and libertarian approach to climate change.

Adler’s argument seems unanswerable to me. Carbon emitters are causing harm to the property rights of others — for instance, through sea level rise that will directly deprive owners of portions of their land. People who really care about property rights should worry a lot about climate change. This doesn’t mean that they should necessary favor any particular approach to mitigation — Adler, for instance, [favors](#) heavy investments in developing new energy technologies. Yet, to favor inaction is inconsistent with libertarian principles.

ADDENDUM.

Adler also favors a revenue-neutral carbon tax, like that proposed by James Hansen or Rep. Bob Inglis (R-SC), and think such a policy would be far better than cap-and-trade or traditional regulation. Here are a piece he did for TNR Online and some of the relevant posts on Volokh:

<http://www.tnr.com/article/politics/backing-words-intelligent-targeted-action>

<http://volokh.com/posts/1177606109.shtml>

[http://volokh.com/archives/archive\\_2008\\_01\\_27-2008\\_02\\_02.shtml#1201968666](http://volokh.com/archives/archive_2008_01_27-2008_02_02.shtml#1201968666)

<http://volokh.com/2009/12/08/krugman-v-hansen/>

<http://volokh.com/2010/03/02/cap-and-trade-is-dead-long-live-cap-and-trade/>