

Book Reviews

James G. March and Johan P. Olsen, *Democratic Governance*, New York *et al.*: The Free Press (1995) vi + 283 pages + Index.

For political scientists and sociologists, the names of James March (who is professor at Stanford University) and Johan Olsen (research director of Advanced Research on the Europeanization of the Nation-State [ARENA] at Oslo University and adjunct professor at Bergen University) have an excellent reputation – to members of the legal profession they are still largely unknown. This is surprising; after all, March and Olsen have overwhelmingly important things to contribute to legal debates. Their work – the outcome of what can only be called a most fruitful and happy long-term collaboration – may be grouped under the heading of ‘New Institutionalism’. In their most successful and influential 1989 book *Rediscovering Institutions*, for example, they have proposed a theory of organizational behaviour that reinvigorates the role of institutions. However, the institutionalist label is a pale description of the breadth and deepness of March’s and Olsen’s project. Dissatisfied with contemporary theories and philosophies of politics, they devise a whole new theory which is designed to account of politics as we experience it. In this account, institutions figure high: they ‘simplify the potential confusions of action by providing action alternatives; they simplify the potential confusions of meaning by creating a structure for interpreting history and anticipating the future; and they simplify the complications of heterogeneity by shaping the preferences of participants’. The reader will notice that this description alone reveals not only March’s and Olsen’s engagement in an undertaking that draws a much more positive picture of political life than comparable theories; it also hints at

the fact that they build on a dazzling variety of disciplines and sources. Indeed, they reinterpret ideas from political science and philosophy, sociology, economics, anthropology, psychology, and history, in order to arrive at innovative, unusual, sometimes provocative insights.

In ‘Democratic Governance’, March and Olsen both narrow and broaden their view. It is narrower in the sense that they focus exclusively on democracy as their leading paradigm. Having expounded their general take in a 1984 article in the *American Political Science Review* and the 1989 book, they can now ‘apply’ their previous findings to one particular concept of politics. In the light of the conceptual fuzziness of the notion of democracy, this may sound absurd. In fact, it is one of the great riddles of the new book how March and Olsen manage to mold democratic theory in such a way that in the end the reader is left with the impression of a crystal-clear idea of what democracy is all about. On the other hand, the view is broader in that the authors allow themselves to make detours from the straight institutionalist path more often than before in order to stray into areas where their institutionalist matter of concern is overshadowed by reflections of striking deepness and an almost all-encompassing generality. Never, however, does the reader feel abandoned in a jungle of abstraction (as often happens in contemporary political thought). Quite on the contrary (and here lies a second riddle of March’s and Olsen’s approach): while clearly being broad and deep, the narrative never loses touch with reality and remains, if I may say so, ‘tangible’.

This does not mean, of course, that ‘Democratic Governance’ is a book you can skip through or read in bed before you go to sleep. Although it is a good read and everything is easy to understand, it is demanding, and I would advise everyone to read it at a slow pace. It pays off. After a while you will get the impression that behind every single sentence there is a whole universe of assimilated political

theory and philosophy. The not-so-rare bibliographical pointers in brackets scattered throughout the text illuminate an immense variety of theoretical conceptions built upon. However, there are a lot of thoughts that will not feature an explicit reference to a particular author – but all these conceptions that are indirectly being made use of will slowly dawn upon the reader as an unmentioned yet clearly visible background that enriches March's and Olsen's narrative.

In remarkable difference to other works of democratic theory, 'Democratic Governance' does not have the sometimes dusty smell of academic self-reference. While informed by traditional as well as less traditional sources, it never comes close to scholarly rumination. Indeed, March and Olsen assemble a whole new world of thinking about the basic issues of democracy. Sometimes it seems to be possible to locate them in the vicinity of some familiar political conception (such as some strands of communitarian thought, or new republicanism, or Habermasian discourse ethics), but as soon as this familiarity is graspable the authors subtly, albeit quickly and unmistakably, distance themselves from it. It is impossible to put them into a drawer with a traditional label – they are simply March and Olsen.

Why is it so worthwhile for legal scholars to invest in this book? Because it casts a new light on many, if not all, preconceptions and *Vorverständnisse* of legal thought. For instance, is it not common legal knowledge in modern democracies that democratic accountability is the centre-piece and Archimedean point of conceptualizing democratic legitimacy? March and Olsen, of course, do not argue against accountability – but relying on findings of psychology and political science, they manage to drag this theorem into the twilight of ambiguity and implant that grain of doubt into the reader's brain that will force her to go on thinking about accountability and to question some of the basic knowledge we already believed to be uncontestedly received. In addition, the

authors place our legal beliefs into a wider context (of ideas about the common good, or a civilized society), connect them to thoughts about learning, ideology, aspirations, solidarity, virtue, faith, or the development of political identities, and thus broaden our horizons in the true sense of the word. Starting out with a brilliant analysis of democratic governance, March and Olsen eventually arrive at a democratic agenda of how individuals and societies can achieve institutions that make politics civil and capable. Anyone with only a slight interest in political theory who is bored by self-referring accounts of the exaggerated antinomies between substance and process or between liberalism and communitarianism should buy and read this book.

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Boyle, A.E. (ed.), *Environmental Regulation and Economic Growth*, Oxford: Clarendon Press (1994) xxix + 252 pages + Index. \$65.

Increasingly stringent environmental regulation in industrialized States has given rise to fears of decreasing competitiveness, and of a curbing of economic growth. Simultaneously the possibility of imposition by these countries of green barriers to regional and international trade threatens to restrict imports from countries with lower environmental protection standards. Fears of economic inhibition are justified only to the extent that the concept of sustainable development demands a halt on indiscriminate economic development in favour of environmental protection. Yet the practical meaning of such a concept and the implementation of leading complementary environmental principles, such as the 'polluter pays' principle, remain full of uncertainties. Focusing on the interconnection between environmental law and economic development, *Environmental Regulation and Economic Growth*, fleshes out some of the key legal