

Lost in the Wilderness

“Five Paths of Environmental Scholarship” by Eric T. Freyfogle, in *University of Illinois Law Review* (Spring 2000), 504 E. Pennsylvania Ave., 244 Law Building, Champagne, Ill. 61820.

A quarter-century ago, “environmental law scholarship was a value-driven enterprise” and its goals were clear: “to safeguard human health and to save key wilderness areas, exotic species, and other natural gems.” The culprits—“selfish businesses and misguided governments”—were evident to everyone, writes Freyfogle, a professor at the University of Illinois College of Law.

Today, the field is a muddle. An increasing number of scholars display “little passion about environmental ills.” An “environmental lawyer” is as likely to defend polluters as sue them. Worse, the academic discipline of environmental law is deeply divided. Freyfogle identifies five distinct intellectual groupings: Libertarians, Simple Fixers, Dispute Resolvers, Progressive Reformers, and Advocates for the Land Community.

Ranging from those who value individual rights above environmental protection (Libertarians), and those who believe that the market and technology are the keys to a greener world (Simple Fixers), to Progressive Reformers, who see law as the best solution, and the Advocates, who are “the most ecologically oriented,” these groups follow very differ-

ent “moral and intellectual paths.”

The division has derailed environmental law. “Scholarly debates,” Freyfogle says, “are often poorly joined, if joined at all, because the true disagreements are deeper and on points not overtly raised.” Scholars are unaware of—or unwilling to admit—the role their “assumptions about values, human nature, history, epistemology, [and] a dozen equally important matters” have in shaping their conclusions.

The structure of the academic world also tends to stifle debate, Freyfogle points out. Student editors of law reviews prefer articles that present provocative, readily grasped issues and neat solutions. Law school professors who want to get published—and thus win tenure—“are best advised to stay within or close to . . . the [moderate theories of the] Simple Fixers and Progressive Reformers.”

Confessing his sympathy with the Advocates of the Land Community, Freyfogle argues that environmental degradation has stemmed from “human behavior and values”—specifically, “an arrogant, domineering attitude toward nature.” If legal scholarship is going to help at all, he concludes, scholars must first acknowledge the root of the problem: man.

ARTS & LETTERS

The Thinking Man's Pianist

“Glenn Gould, the Virtuoso as Intellectual” by Edward W. Said, in *Raritan* (Summer 2000), Rutgers Univ., 31 Mine St., New Brunswick, N.J. 08903.

Few classical music performers have excited the public's imagination like Glenn Gould, the eccentric, Canadian-born pianist who died in 1982 at the age of 50. His performances displayed both remarkable virtuosity and peculiar adornment—“humming, gesticulating, untoward grimacing and conducting as he played,” writes Said, a Columbia University professor and author of the forthcoming *Reflections on Exile and Other Essays*. Gould eschewed the romantic repertory of Chopin, Liszt, and Rachmaninoff that propelled contemporaries such as Van Cliburn and Vladimir

Ashkenazy to superstardom, and then famously deserted the public stage in 1964 to devote himself to a cloistered recording career restricted almost entirely to the works of Johann Sebastian Bach. Since his death (from a stroke), Gould has been the subject of a host of articles and books, as well as a 1993 documentary, *Thirty-two Short Films about Glenn Gould*. In Said's view, this enduring fascination with Gould, the pianist's steadfast devotion to Bach, and his unconventional career are all linked by the unwavering intellectualism that forms the basis of Gould's art.