

The Making Of Environmental Law English Edition

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Environmental Law Stories Edward Elgar Publishing

Cities are no longer just places to live in. They are significant actors on the global stage, and nowhere is this trend more prominent than in the world of transnational climate change governance (TCCG). Through transnational networks that form links between cities, states, international organizations, corporations, and civil society, cities are developing and implementing norms, practices, and voluntary standards across national boundaries. In introducing cities as transnational lawmakers, Jolene Lin provides an exciting new perspective on climate change law and policy, offering novel insights about the reconfiguration of the state and the nature of international lawmaking as the involvement of cities in TCCG blurs the public/private divide and the traditional strictures of 'domestic' versus 'international'. This illuminating book should be read by anyone interested in understanding how cities - in many cases, more than the countries in which they're located - are addressing the causes and consequences of climate change.

Making Law Matter Cambridge University Press

Presents the first comprehensive reflection on the nature of environmental law scholarship from the perspectives of leading scholars in the field.

International Environmental Law Routledge

This compilation of key materials in international environmental law takes account of the most significant developments in the field that have occurred during the past decade, including in the areas of climate change, chemicals and pesticides, biosafety, and nuclear safety, as well as good governance, compliance and liability. Not only does multilateral environmental law making have wide-ranging repercussions on the way national development policies are drafted and business is conducted, but also environmental issues increasingly interweave with those relating to human rights, trade, agriculture and intellectual property, making familiarity with the key instruments in international law essential for all working in these areas. The book comprises a representative selection of the most important studies in international environmental law, with an editorial introduction to each topic. Its focus on recent trends and cross-sectoral aspects makes it an indispensable tool for students, researchers, practitioners and policy makers in international environmental law and related fields.

Environmental Law: A Very Short Introduction Cambridge University Press

A concise, clear, and legally rigorous introduction to international environmental law and practice covering the very latest developments.

Key Materials in International Environmental Law American Bar Association

We are in the second decade of modern environmental law. By some indicators this body of regulation has matured greatly. We can point to statutes and codes at the federal, state, and local levels which address almost every conceivable form of pollution and environmental insult. Yet, despite the existence of this large body of law, despite considerable expenditures on enforcement, and despite the energetic efforts of people sympathetic to environmental objectives, violations are numerous. Serious pollution problems are commonplace. Love Canal, the Valley of the Drums, Times Beach, and Stringfellow Acid Pits epitomize the national environmental quality challenge. Daily, a major illegal disposal of hazardous waste is recorded; a new mismanaged dump site is discovered; a toxic substance is found in our drinking water; or a failure to meet a water or air quality standard is identified. Many of these violations involve American business. Failures to comply are of several types. A small businessman in Pennsylvania mistakenly allows a spillover of a pollutant into a protected stream. An industrialist in the Midwest adds to his fortune by illegally dumping dangerous chemicals. A series of errors by several firms, some of which no longer exist, combine to create a

health threatening conflagration on the West Coast. An automobile company interprets one of the almost innumerable air pollution rules differently from government: It produces a car which the government says fails to comply with the Clean Air Act.

Differential Treatment in International Environmental Law Routledge

This collection of essays adopts a distinctive approach to environmental legal issues. The contributors represent a variety of specialisations, ranging from public law to international law and international relations. Some essays are written from within a UK domestic law perspective, but others adopt a broadly comparative, supra-national or international approach. The contributors do not assume that problems and solutions in 'environmental law' should be perceived as wholly distinct from the preoccupations of existing legal specialisms. New and proposed legal responses inevitably build on or employ established legal techniques, rather than starting completely afresh. The contributors do however, regard environmental problems as posing or at least illuminating significant challenges to received patterns of legal thought. In the light of this, the contributors therefore investigate aspects of law's influence in environmental decision-making, and consider whether legal institutions and forms of thought can respond adequately to the challenge of environmental change.

The Oxford Handbook of Business and the Natural Environment Cambridge University Press

Contemporary environmental regulation is having to adapt to significant challenges. These challenges come from all directions, including the quest for economic efficiency, popular mistrust of experts and frequent observation of poor practical results. At EU level, criticisms of regulatory activity are accentuated by the significant questions that surround the legitimacy of certain EU institutions and processes. EU Environmental Law examines a range of substantive EU environmental laws and policies and considers far-reaching endeavors to improve environmental regulation.

International Environmental Law and Policy for the 21st Century Cambridge University Press

Environmental law has an unquestionable effect on the species, ecosystems, and landscapes that biologists study—and vice-versa, as the research of these biologists frequently informs policy. But because many scientists receive little or no legal training, we know relatively little about the precise ways that laws affect biological systems—and, consequently, about how best to improve these laws and better protect our natural resources. With *Environmental Law for Biologists*, ecologist and lawyer Tristan Kimbrell bridges this gap in legal knowledge. Complete with a concise introduction to environmental law and an appendix describing the most important federal and international statutes and treaties discussed, the book is divided into four broad parts: laws that focus on individual species, like invasive species policies, the Endangered Species Act, and international treaties such as CITES; laws that focus on land, from federal public lands to agricultural regulations and urban planning; laws that focus on water, such as the Clean Water Act; and laws that focus on air, such as the Clean Air Act and international measures meant to mitigate global climate change. Written for working biologists and students alike, this book will be a catalyst for both more effective policy and enhanced research, offering hope for the manifold frictions between science and the law.

Time and Environmental Law Edward Elgar Publishing

Winner of the Julia Ward Howe Prize "The gripping story of the most important environmental law case ever decided by the Supreme Court." —Scott Turow "In the tradition of *A Civil Action*, this book makes a compelling story of the court fight that paved the way for regulating the emissions now overheating the planet. It offers a poignant reminder of how far we've come—and how far we still must go." —Bill McKibben, author of *The End of Nature* On an unseasonably warm October morning, an idealistic young lawyer working on a shoestring budget for an environmental organization no one had heard of hand-delivered a petition to the Environmental Protection Agency, asking it to restrict greenhouse gas emissions from new cars. The Clean Air Act authorized the EPA to regulate "any air

pollutant" thought to endanger public health. But could carbon dioxide really be considered a harmful pollutant? And even if the EPA had the authority to regulate emissions, could it be forced to do so? The Rule of Five tells the dramatic story of how Joe Mendelson and the band of lawyers who joined him carried his case all the way to the Supreme Court. It reveals how accident, infighting, luck, superb lawyering, politics, and the arcane practices of the Supreme Court collided to produce a legal miracle. The final ruling in *Massachusetts v. EPA*, by a razor-thin 5-4 margin brilliantly crafted by Justice John Paul Stevens, paved the way to important environmental safeguards which the Trump administration fought hard to unravel and many now seek to expand. "There's no better book if you want to understand the past, present, and future of environmental litigation." —Elizabeth Kolbert, author of *The Sixth Extinction* "A riveting story, beautifully told." —Foreign Affairs "Wonderful...A master class in how the Supreme Court works and, more broadly, how major cases navigate through the legal system." —Science

International Environmental Law-making and Diplomacy UBC Press

This book is the third volume in the European Environmental Law Forum (EELF) book series. The EELF is a non-profit initiative of environmental law scholars and practitioners from across Europe aiming to support intellectual exchange on the development and implementation of international, European and national environmental law in Europe. One of the activities of the EELF is an annual conference. This book is comprised of fifteen contributions presented at the Third EELF Conference in Aix-en-Provence, hosted by the Central European Research Infrastructure Consortium, at Aix-Marseille University, September 2015. The central topic of the book is the effectiveness of environmental law. The impressive development in environmental law has not always been matched by corresponding improvements in environmental quality. The threats to our environment and, by extension, to our health have never been so numerous or serious. But paradoxically, the effectiveness of environmental law has been a long-neglected issue. This book offers a fruitful and stimulating dialogue between practitioners and academics, from varied countries and varied fields, combining empirical and theoretical approaches. The contributions go from classical-but still necessary-tools (control, criminal, administrative, civil sanctions, liability rules, strengthening of the regulatory structure, and the role of judges), to more innovative ones (public participation, effectiveness of instrument mixes, collaborative governance, hybrid governance, and private environmental enforcement). (Series: European Environmental Law Forum, Vol. 3) Subject: Environmental Law, European Law]

Comparative Environmental Law and Regulation Routledge

'Human laws must be reformulated to keep human activities in harmony with the unchanging and universal laws of nature.' This 1987 statement by the World Commission on Environment and Development has never been more relevant and urgent than it is today. Despite the many legal responses to various environmental problems, more greenhouse gases than ever before are being released into the atmosphere, biological diversity is rapidly declining and fish stocks in the oceans are dwindling. This book challenges the doctrinal construction of environmental law and presents an innovative legal approach to ecological sustainability: a rule of law for nature which guides and transcends ordinary written laws and extends fundamental principles of respect, integrity and legal security to the non-human world.

International Environmental Law and Asian Values Edward Elgar Publishing

Disciplined by industrial clock time, modern life distances people from nature's biorhythms such as its ecological, evolutionary, and climatic processes. The law is complicit in numerous ways. It compresses time through 'fast-track' legislation and accelerated resource exploitation. It suffers from temporal inertia, such as 'grandfathering' existing activities that limits the law's responsiveness to changing circumstances. Insouciance about past ecological damage, and neglect of its restoration, are equally serious temporal flaws: we cannot live sustainably while Earth remains degraded and unrepaired. Applying international and interdisciplinary perspectives on these issues, *Time and Environmental Law* explores how to align law with the ecological 'timescape' and enable humankind to 'tell nature's time'. Lending insight into environmental behaviour and impacts, this book pioneers a new understanding of environmental law for all societies, and makes recommendations for its reform. Minding nature, not the clock, requires regenerating Earth, adapting to its changes, and living more slowly.

EU Environmental Law Stanford University Press

The second edition of this leading reference work provides a comprehensive discussion of the dynamic and important field of international law concerned with environmental protection. It is edited by globally-recognised international environmental law scholars, Professor Lavanya Rajamani and Professor Jacqueline Peel, and features 67 chapters authored by 76 renowned experts in their fields. The Handbook discusses the key principles underpinning international environmental law, its relevant actors and tools, and rules applying in its substantive sub-fields such as climate law, oceans law, wildlife and biodiversity law, and hazardous substances regulation. It also explores the intersection of international environmental law with other areas of international law, such as those concerned with trade, investment, disaster, migration, armed conflict, intellectual property, energy, and human rights. The Handbook sets its discussion of international environmental law in the broader interdisciplinary context of developments in science, ethics, politics and economics, which inform the way in which environmental rules are made, implemented, and enforced. It provides an introduction to the foundations of international environmental law while also engaging with questions at the frontiers of research, teaching, and practice in the field, including the role of Global South perspectives, the contribution made by Earth jurisprudence, and the growing role of a diverse range of actors from indigenous peoples to business and industry. Like the first edition, this second edition of the Handbook is an essential reference text for all engaged with environmental issues at the international level and the applicable governance and regulatory structures.

Introduction to International Environmental Law Bloomsbury Publishing

Adopted at dozens of law schools, this book is a valuable resource for imparting practical skills. Authors Anderson, Hirsch, Sachs, and Tormey have drawn on their wide experience as environmental law professors and practitioners to develop realistic exercises that teach the craft of environmental lawyering. Readers will learn how to bring a federal enforcement action against a polluter; negotiate a Superfund settlement; prepare documents and strategy for a citizen's suit; counsel a corporation on environmental compliance; navigate the issues that arise in government agency litigation (e.g., limits on discovery, standards of review); comment on EPA rule making; and handle environmental issues that arise in permitting a complex real estate development, as well as many other relevant skills. Updated and expanded, the fourth edition of *Environmental Law Practice* is comprehensive in scope. It contains problems and exercises under each of the major environmental statutes. In addition, it places readers in the three key roles played by environmental

lawyers--government attorney, corporate counsel, and public interest advocate--and provides practice pointers for each of these types of work. The book makes extensive use of original documents such as statutes, the Code of Federal Regulations (CFR), regulatory preambles, and agency guidance, exposing students to the materials that environmental lawyers use most. This book covers the most significant areas of environmental practice: compliance, enforcement, litigation, permitting, and policy. It gives in-depth treatment of substantive environmental law areas such as the Clean Air Act, Clean Water Act, CERCLA, RCRA, EPCRA, NEPA, and citizen suits. It incorporates current developments in environmental law, such as recent Supreme Court and circuit court cases. Of the many books on environmental law, *Environmental Law Practice* is the one to use to develop the skills to become a practice-ready environmental attorney.

International Environmental Law Cambridge University Press

The unprecedented expansion in environmental regulation over the past thirty years—at all levels of government—signifies a transformation of our nation's laws that is both palpable and encouraging. Environmental laws now affect almost everything we do, from the cars we drive and the places we live to the air we breathe and the water we drink. But while enormous strides have been made since the 1970s, gaps in the coverage, implementation, and enforcement of the existing laws still leave much work to be done. In *The Making of Environmental Law*, Richard J. Lazarus offers a new interpretation of the past three decades of this area of the law, examining the legal, political, cultural, and scientific factors that have shaped—and sometimes hindered—the creation of pollution controls and natural resource management laws. He argues that in the future, environmental law must forge a more nuanced understanding of the uncertainties and trade-offs, as well as the better-organized political opposition that currently dominates the federal government. Lazarus is especially well equipped to tell this story, given his active involvement in many of the most significant moments in the history of environmental law as a litigator for the Justice Department's Environment and Natural Resources Division, an assistant to the Solicitor General, and a member of advisory boards of the U.S. Environmental Protection Agency, the World Wildlife Fund, and the Environmental Defense Fund. Ranging widely in his analysis, Lazarus not only explains why modern environmental law emerged when it did and how it has evolved, but also points to the ambiguities in our current situation. As the field of environmental law "grays" with middle age, Lazarus's discussions of its history, the lessons learned from past legal reforms, and the challenges facing future lawmakers are both timely and invigorating.

Legal Reasoning in Environmental Law Cambridge University Press

Introduction to International Environmental Law provides a concise overview of international environmental law and the relations and agreements among nations to facilitate environmental protection. Beginning by exploring the history nature and sources of international environmental law, Professor Koivurova moves on to consider the key principles as well as examining the implementation and effectiveness of international environmental law in practice. It considers how international environmental law has developed away from other branches of international law which are heavily based on state sovereignty, in order to more effectively facilitate environmental protection and concludes by posing questions about the future of the field. Taking a concise, accessible approach throughout and employing case studies drawn from a global range of examples, this book is the ideal first point of entry to the context, principles and issues of this important subject.

The Making of Environmental Law Oxford University Press

Development of Environmental Laws in India highlights the dynamic nature of environmental law-making in India between the judiciary, the executive and the parliament. This has led to the creation of a wide range of environmental institutions and bodies with varied roles and responsibilities. The book contains a large volume of materials from the late 1990s, which show a marked shift in the nature of environmental governance in India. These materials offer an understanding of the contemporary debates in environment law in the context of India's economic liberalisation. The materials are thematically organized and presented in an accessible manner. The chapters contain definitions and specific clauses from the legal instruments and refer to court orders and judgements on these themes.

Perspectives on Environmental Law Scholarship Edward Elgar Publishing

This thoroughly updated and revised second edition of this foundational Handbook combines practical and theoretical analyses to cover a wide array of cutting edge issues in international environmental law (IEL). It provides a comprehensive view of the complexity of IEL, both as a field in its own right, and as part of the wider system of international law.

Principles of International Environmental Law Oxford University Press

The ecosystem approach embodies a concept of the environment which emphasizes the integrated components of nature as complex adaptive systems. This book examines the relationship between the architecture and design of environmental law and the implementation of the ecosystem approach as a means to maintain ecological integrity. The main issue addressed is: in which manner and to what extent does fragmentation and administrative discretion in environmental law impede the implementation of an ecosystem approach? This is explored through analysis of several questions: what is an ecosystem approach and how could it be implemented; how can economic evaluation of ecosystem services contribute to the debate; to what extent is environmental law fragmented and how does this affect the implementation of the ecosystem approach; to what extent does environmental law contain administrative discretion and how does this affect the implementation of the ecosystem approach; is there a need for greater consistency, coherence and a stronger rule of law in environmental law in light of the ecosystem approach? The main focus is on Europe, with additional international comparisons where appropriate. The book concludes by providing a normative portrayal of future environmental law as protective, systemic and predictable.

Law in Environmental Decision-making Oxford University Press

This book is a comprehensive study of differential treatment for developing countries in international environmental law. It offers a compelling analysis of the legal dimension of the relationship between developed and developing countries in the environmental field and beyond. It first critically examines the principle of legal equality of states and then explores the conceptual framework behind the notion of differential treatment in international law and its relevance in bringing about substantive equality. The book examines the development of differentiation in international environmental law, considers its application in various environmental treaties and evaluates the legal status of existing differential norms. It also examines the contribution of differentiation to the implementation of environmental treaties and the extent to which differential treatment fosters the decentralization of international environmental policy making. It is an indispensable resource for all actors involved in environmental law and policy making, scholars and students.