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The
Making
of
Environmental
Law



Making Of Environmental Law

William Wilson



Making Of Environmental Law:

The Making of Environmental Law Richard J. Lazarus, 2008-09-15 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.

The Making of Environmental Law Richard James Lazarus, 2004 The unprecedented expansion in environmental regulation since 1970 at all levels of the government signifies an extraordinary transformation of our nation's law. How environmental law emerged, why it has since evolved in the way that it has, and what are the challenges presented as environmental law moves now into its middle age is a fascinating and revealing story which *The Making of Environmental Law* seeks to tell. The story shows how fashioning pollution control laws presents special challenges both because of the nature of pollution itself and the known means of pollution control and because of our nation's varied processes for lawmaking and the ways those processes relate to important cultural norms. Many of these challenges relate to the varied, complex and uncertain spatial and temporal dimensions of pollution itself, factors which resist simple redress. The purpose of *The Making of Environmental Law* is to describe these challenges, relate them to actual events which occurred during the past three decades and discuss what lessons can be gleaned from those decades to meet those same challenges today and in the future. The book is accordingly divided into three parts. Part I, consisting of three chapters, provides a theoretical overview of the challenges presented by environmental protection for lawmaking. The first two chapters describe the relevant physical features of the natural environment and its transformation by humankind with emphasis on their spatial and temporal dimensions that especially

challenge the fashioning of legal rules The third chapter analyzes in more detail how these features relate to the structure of U S lawmaking institutions in federal state and tribal sovereign authorities and within all three branches of government Part II is more explanatory in nature It relates the more theoretical analytic framework regarding the nature of environmental lawmaking Developed in Part I to the actual events surrounding modern environmental law s evolution during the 1960s 1970 1980s and 1990s Finally Part III is more critical and speculative in character than either Part I or II The first chapter of Part III considers the current state of environmental law including both how environmental protection law has evolved during the past three decades and how those evolutionary trends reflect the features of the ecological problems environmental law seeks to address The second chapter in Part III considers the ways in which environmental law is likely to continue to be challenged in the future especially by ever changing conceptions of time and space The third and final chapter of Part III considers the potential historical significance of current times given the unprecedented ascendancy to dominant positions in both the federal legislative and executive branches of government officials who favor major reforms of existing environmental laws

Making Environmental Laws Work William Wilson,1999-01-19 The book considers the political context in which environmental laws are made and the implications for long term public support of them

Decision Making in Environmental Law LeRoy Paddock,Robert L. Glicksman,Nicholas S. Bryner,2016 Environmental issues are at the heart of some of the most complex and consequential decisions that society must face in pursuit of a more sustainable future They encompass the international national and local levels and engage all branches of government Decision Making in Environmental Law one of the constituent volumes in the Elgar Encyclopedia of Environmental Law brings together some of the leading experts in the field and provides a structured overview of the various dimensions of decision making from an environmental law perspective Topics include the use of treaties common law tools rulemaking access to information regulatory structures market based and trading mechanisms monitoring and reporting voluntary programs and private regulation environmental impact analysis public engagement and environmental justice administrative and judicial review and the role of environmental courts and tribunals

Making Environmental Law Nancy E. Marion,2011-08-10 From Eisenhower to Obama this book provides a comprehensive analysis of the policies Congress and the president have proposed and passed to protect the environment over time The U S federal government first began to consider legislation to protect the environment and natural resources in 1940s Since that time Congress and the president have considered and passed numerous environmental policies laws that serve to protect the quality of the air we breathe the water we drink the natural beauty of the land and the animals that live both on land and in the water In Making Environmental Law The Politics of Protecting the Earth experienced and accomplished environmental law researcher Nancy E Marion shows what policies Congress have proposed and passed to protect the environment over time Each chapter focuses on the members of Congress s response to a different environmental concern such as ocean dumping pesticides and solid waste With green awareness

now affecting every aspect of our modern world this text serves as an invaluable reference for students and researchers who need a deeper historical background on the political aspects of these issues Making Environmental Laws Work William Wilson,1999 **Law in Environmental Decision-making** Tim Jewell,Jenny Steele,1998 This collection of essays adopts a distinctive approach to environmental legal issues representing a variety of specializations ranging from public law to international law Science-Based Lawmaking Dionysia-Theodora Avgerinopoulou,2019-08-31 The Book takes the approach of a critique of the prevailing international environmental law making processes and their systemic shortcomings It aims to partly redesign the current international environmental law making system in order to promote further legislation and more effectively protect the natural environment and public health Through case studies and doctrinal analyses an array of initial questions guides the reader through a variety of factors influencing the development of International Environmental Law After a historical analysis commencing from the Platonic philosophy up to present the Book holds that some of the most decisive factors that could create an optimized law making framework include among others progressive voting processes science based secondary international environmental legislation new procedural rules that enhance the participation in the law making process by both experts and the public and also review the implementation compliance and validity of the science base of the laws The international community should develop new law making procedures that include expert opinion Current scientific uncertainties can be resolved either by policy choices or by referring to the so called sound science In formulating a new framework for environmental lawmaking processes it is essential to re shape the rules of procedure so that experts have greater participation in those in order to improve the quality of International Environmental Law faster than the traditional processes that mainly embrace political priorities generated by the States Science serves as one of the main tools that will create the next generation of International Environmental Law and help the world transition to a smart inclusive sustainable future International Environmental Law-making and Diplomacy Tuomas Kuokkanen,Ed Couzens,Tuula Honkonen,Melissa Lewis,2016-01-29 Bringing together contributions from diplomats UN agency officials lawyers and academics this book provides insight into the evolution of international environmental law diplomacy and negotiating techniques Based on first hand experiences and extensive research the chapters offer a blend of practice and theory history and analysis presenting a range of historical episodes and nuances and drawing lessons for future improvements to the processes of law making and diplomacy The book represents a synthesis of the most important messages to emerge from the annual course on Multilateral Environmental Agreements delivered to diplomats and negotiators from around the world for the last decade by the University of Eastern Finland and the United Nations Environment Programme The book will be of interest as a guide for negotiators and as a supplementary textbook and a reference volume for a wide range of students of law and environmental issues *EU Environmental Law* Maria Lee,2005-04-21 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

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unregulated industry combine to create pollution on an unprecedented scale Yet despite overwhelming support for the Rio Declaration in 1992 international response to the crisis in the environment has been piecemeal and uneven The developing canon of international environmental law is of vital importance to lawyers decision makers and environmental advocates Practical lessons can be drawn from the range of approaches being taken to such universal issues as pollution control liability and waste management Familiarity with international case law and judicial decision making can support and develop legal argument International Environmental Law and Regulations draws together expert practitioners from Argentina Belgium Canada England Wales France Greece Italy Mexico Norway Scotland and Singapore to provide a statement of the progress of environmental regulation in their jurisdictions The practical analysis includes coverage of the application of international and Community law national regional and local regulation leading case law trends in judicial decision making civil and criminal liability As a source of instructive information and ideas the book will be of value to specialists in environmental law in house lawyers in industry environmental advocates and academic lawyers *Environmental Law for The Built Environment* Jack Rostron,2013-03-04 An exposition of the relevant law and the techniques commonly used to meet the regulatory requirements concerning the built environment Each chapter deals with a discrete topic combining law policy and administrative aspects with the engineering technological and management remedies available **International**

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Environmental Law Elizabeth Fisher,Bettina Lange,Eloise Scotford,2019 Environmental Law Text Cases and Materials offers a comprehensive critical and case focused approach to the subject combining insightful author commentary with carefully selected extracts to fully support students **Environmental Laws and Their Enforcement - Volume II** A. Dan Tarlock,John C. Dernbach,2009-11-25 Environmental Laws and Their Enforcement is a component of Encyclopedia of Social

Sciences and Humanities in the global Encyclopedia of Life Support Systems EOLSS which is an integrated compendium of twenty one Encyclopedias The volume on Environmental Laws and Their Enforcement deals in two volumes with a myriad of issues of great relevance to our world such as Sustainable Development and National Governance History of Environmental Law International Environmental Law Constitutional Law International Binding Mechanisms Laws Governing Freshwater and Ground Water Pollution Forestry Biodiversity Conservation and Endangered Species Protection International Guidelines and Principles Compliance Models for Enforcement of Environmental Laws And Regulations International Environmental Law Life Support Systems Law and Policy The Principle of Sustainable Development in International Development Law Environmental Pollution Regulations Social Concerns for Environmental Exposures to Toxic Substances Regulation of Air and Pollutants These volumes are aimed at the following five major target audiences University and College Students Educators Professional Practitioners Research Personnel and Policy Analysts Managers and Decision Makers and NGOs

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