



# **Beyond Environmental Law**

## **Policy Proposals for a Better Environmental Future**

**Edited by Alyson C. Flournoy  
and David M. Driesen**

**CAMBRIDGE**

# Beyond Environmental Law Policy Proposals For A Better Environmental Future

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## **Beyond Environmental Law Policy Proposals For A Better Environmental Future:**

**Beyond Environmental Law** Alyson C. Flournoy, David M. Driesen, 2010-02-26 This book offers a vision for the third generation of environmental law designed to enhance its ability to protect our environment. The book presents two core proposals: an Environmental Legacy Act to preserve a defined environmental legacy for future generations and an Environmental Competition Statute to spark movement to new clean technologies. The first proposal would require for the first time that the federal government define an environmental legacy that it must preserve for future generations. The second would establish a market competition to maximize environmental protection. The balance of the book provides complementary proposals and analysis. The first generation of environmental law sought broad protection of health and the environment in a fairly fragmented way. The second sought to enhance environmental law's efficiency through cost-benefit analysis and market mechanisms. These proposals seek to create a broader, more creative approach to solving environmental problems.

**Rethinking Environmental Law** Laitos, Jan G., 2021-08-27 Challenging historic assumptions about human relationships with nature, Jan G. Laitos examines how environmental laws have addressed environmental problems in the past and the reasons for the laws' inability to successfully prevent environmental contamination and alterations of critical environmental systems. This forward-thinking book offers a creative and organic alternative to traditional but ultimately unsuccessful environmental rules. It explains the need for a new generation of environmental laws grounded in the universal laws of nature, which might succeed where past and current approaches have largely failed.

*Green Governance* Burns H. Weston, David Bollier, 2013-01-21 The vast majority of the world's scientists agree we have reached a point in history where we are in grave danger of destroying Earth's life-sustaining capacity. But our attempts to protect natural ecosystems are increasingly ineffective because our very conception of the problem is limited: we treat the environment as its own separate realm, taking for granted prevailing but outmoded conceptions of economics, national sovereignty, and international law. *Green Governance* is a direct response to the mounting calls for a paradigm shift in the way humans relate to the natural environment. It opens the door to a new set of solutions by proposing a compelling new synthesis of environmental protection based on broader notions of economics and human rights and on commons-based governance. Going beyond speculative abstractions, the book proposes a new architecture of environmental law and public policy that is as practical as it is theoretically sound.

**Why Environmental Policies Fail** Jan Laitos, Juliana Okulski, 2017-07-25 The real question examined by this book is not the extent of the failure of environmental policy but exactly why did the policy fail.

**The ^ARight of Nonuse** Jan G. Laitos, 2013-05-21 *The Right of Nonuse* provides a fresh and remarkably different perspective on the real causes of the ills plaguing the world's resources and environment. It re-examines the very nature of nature and from this new perspective argues that what is needed is for humans to grant to natural resources a legal right to be left alone: a right of nonuse.

**Legal Reasoning in Environmental Law** Douglas Fisher, 2013-09-30 I am afraid that an endorsement of this

kind however condense and packed with praise cannot do justice to Doug Fisher's latest book. A respected and seasoned environmental law scholar, Fisher skilfully reminds us that law is about language and that *The Economic Dynamics of Law* David M. Driesen, 2012-06-18. This book offers a theory of law and economics focused on change over time and aimed at avoiding systemic risks.

**Communicating Environmental Patriotism** Anne Marie Todd, 2013-06-07. Environmental patriotism, the belief that the national environment defines a country's greatness, is a significant strand in twentieth-century American environmentalism. This book is the first to explore the history of environmental patriotism in America through the intriguing stories of environmental patriots and the rhetoric of their speeches and propaganda. The See America First movement began in 1906 with the aim of protecting and promoting the landscapes of the American West. In 1908 Gifford Pinchot and President Theodore Roosevelt hosted the White House Conservation Conference to promote the wise use of natural resources for generations of Americans. In 1912 Pittsburgh's smoke investigation condemned the effects of coal smoke on the city's environment. In World War II a massive propaganda effort mobilized millions of Americans to plant victory gardens to save resources for the war abroad. While these may not seem like crucial moments for the American environmental movement, this new history of American environmentalism shows that they are linked by patriotism. The book offers a provoking critique of environmentalists' communication strategies and suggests patriotism as a persuasive hook for new ways to make environmental issues a national priority. This original research should be of interest to scholars of environmental communication, environmental history, American history, and environmental philosophy.

**Time and Environmental Law** Benjamin J. Richardson, 2017-08-03. Through the lens of time, the book critiques environmental law and recommends ways to enable it to respond to nature's time scales.

**Pharmaceuticals in Aquatic Environments** Vinod Kumar Garg, Ashok Pandey, Navish Kataria, Caterina Faggio, 2023-11-13. This book covers pharmaceutical residue dispersion in the aquatic environment and its toxic effect on living organisms. It discusses conventional and advanced remediation technologies such as the use of biomaterials for the sequestration of contaminants, nanotechnology, and phytoremediation. The book includes topics such as the removal of pharmaceutical and personal care product residues from water bodies, green chemistry, and legal regimens for pharmaceuticals in the aquatic environment. It also covers the application of modified biochar in pharmaceutical removal.

**FEATURES** Explores the management of the environment through green chemistry. Describes phytoremediation technology for decontamination of pharmaceutical-laden water and wastewater. Covers the detection methods and quantification of pharmaceutical residues in various contaminated sources. Discusses ecotoxicological aspects and risk assessment of pharmaceuticals in the aquatic environment. Reviews degradation and treatment technologies including nanotechnology, biomaterials, and biochar. This book is meant for pharmaceutical toxicology and environmental science industry experts and researchers.

**The Law and Politics of Sustainability** Klaus Bosselmann, Daniel S. Fogel, J.B. Ruhl, Patricia Wouters, 2010-11-30. The Law and Politics of Sustainability explores efforts made to address pressing

environmental concerns through legislation conventions directives treaties and protocols Articles explain the mechanics of environmental law the concepts that shape sustainable development case studies and rulings that have set precedents approaches to sustainable development taken by legal systems around the world and more Experts and scholars in the field raise provocative questions about the effectiveness of international law versus national law in protecting the environment and about the effect of current laws on future generations They analyze the successes and shortcomings of present legal instruments corporate and public policies social movements and conceptual strategies offering readers a preview of the steps necessary to develop laws and policies that will promote genuine sustainability

**Reconstructing Environmental Governance** Rick Reibstein, 2022-08-23 Environmental law can be made preventive and efficient and it can enlist willing compliance before using the punishing hand creating a constructive relationship between the governing and the governed The adversarial relationship for which environmental regulation is famous is appropriate for those unwilling to comply but not appropriate for the many well meaning regulated entities This book explains how these and other principles of reformed environmental law have been demonstrated successfully but the lessons of success have not been learned The approach of the book is to collate examples of environmental governance policy making and ethics and demonstrate paths towards a more progressive environmental and climate agenda

**Anticipating Future Environments** Shana Lee Hirsch, 2020-07-16 Drought Wildfire Extreme flooding How does climate change affect the daily work of scientists Ecological restoration is often premised on the idea of returning a region to an earlier healthier state Yet the effects of climate change undercut that premise and challenge the ways scientists can work destabilizing the idea of normalcy and revealing the politics that shape what scientists can do How can the practice of ecological restoration shift to anticipate an increasingly dynamic future And how does a scientific field itself adapt to climate change Restoration efforts in the Columbia River Basin a vast and diverse landscape experiencing warming waters less snowpack and greater fluctuations in precipitation may offer answers to some of these questions Shana Hirsch tells the story of restoration science in the basin surveying its past and detailing the work of today's salmon habitat restoration efforts Her analysis offers critical insight into scientific practices emerging approaches and ways of thinking the incorporation of future climate change scenarios into planning and the ultimate transformation or adaptation of the science of ecological restoration For scientists and environmental managers around the globe Anticipating Future Environments will shed light on how to more effectively cope with climate change

**Beyond Environmentalism** Jeffrey E. Foss, 2009-02-04 This one of a kind book provides thoughtful insight into the current relationship between humankind and the environment Beyond Environmentalism is the first book of its kind to present a timely and relevant analysis of environmentalism The author's decades of experience as a philosopher of science allow him to critically comprehend scientific issues and to develop and explain sound ethical policies in response to them The result is a volume that builds a philosophy of nature and helps the reader assess humankind's relationship with and impact on the world around

us This innovative book discusses the inconsistencies both scientific and philosophical of popular environmentalism and sheds new perspectives on the issues causes and debates that embrace society today The goal is not to settle environmental issues once and for all but rather to provide the basis for more reasoned scientific and productive debates The need for a new philosophy of nature is explored through methodological discussion of several topics including The rise and fall of scientific proof Nature in religion romance and human values Humankind s responsibility to the environment The value of freedom Kinship among species Numerous case studies throughout the book delve into global warming the sixth extinction the precautionary principle pollution and other popular issues within environmentalism Feature boxes guide the reader through complex topics such as eco sabotage the Gaia hypothesis and the urban heat island effect while vivid illustrations demonstrate scientific data theories and philosophical arguments in a reader friendly manner With its balanced approach to provocative issues Beyond Environmentalism serves as an excellent thought provoking supplement for courses on environmental studies at the undergraduate and graduate levels It is also an interesting and accessible read for anyone with a general interest in environmental issues      *Social-Ecological Resilience and Law* Ahjond S. Garmestani, Craig R. Allen, 2014-02-25 Environmental law envisions ecological systems as existing in an equilibrium state or a balance of nature reinforcing a rigid legal framework unable to absorb rapid environmental changes and innovations in sustainability For the past three decades resilience theory which embraces uncertainty and nonlinear dynamics in complex adaptive systems has shown itself to be a robust and invaluable basis for sound environmental management Reforming American law to account for this knowledge is key to transitioning to sustainability This volume features top legal and resilience scholars speaking on resilience theory and its legal applications to climate change biodiversity national parks and water law      *Environmental Principles and the Evolution of Environmental Law* Eloise Scotford, 2017-02-09 Environmental principles from the polluter pays and precautionary principles to the principles of integration and sustainability proliferate in domestic and international legal and policy discourse reflecting key goals of environmental protection and sustainable development on which there is apparent political consensus Environmental principles also have a high profile in environmental law beyond their popularity as policy and political concepts as ideas that might unify the subject and provide it with conceptual foundations or boost its delivery of environmental outcomes However environmental principles are elusive legal concepts This book deepens the legal understanding of environmental principles in light of recent legal developments It analyses the increasing legal effects of environmental principles in different jurisdictions and demonstrates how they are shaping and revealing innovative and evolving bodies of environmental law This analysis is a step forward in understanding a key feature of modern environmental law and presents a robust methodology for dealing with novel legal concepts in the subject It also makes a contribution to environmental policy debates and discussions internationally that rely heavily on environmental principles including their supposed legal effects      *Future Survey Annual 1991* Michael Marien, 1991-01-01      **Assessing and Measuring**

**Environmental Impact and Sustainability** Jiří Jaromír Klemeš, 2015-01-20 Assessing and Measuring Environmental Impact and Sustainability answers the question what are the available methodologies to assess the environmental sustainability of a product system or process Multiple well known authors share their expertise in order to give a broad perspective of this issue from a chemical and environmental engineering perspective This mathematical quantitative book includes many case studies to assist with the practical application of environmental and sustainability methods Readers learn how to efficiently assess and use these methods This book summarizes all relevant environmental methodologies to assess the sustainability of a product and tools in order to develop more green products or processes With life cycle assessment as its main methodology this book speaks to engineers interested in environmental impact and sustainability Helps engineers to assess evaluate and measure sustainability in industry Provides workable approaches to environmental and sustainability assessment Readers learn tools to assess the sustainability of a process or product and to design it in an environmentally friendly way

*Advances in Marine Environmental Protection: Challenges, Solutions and Perspectives* Mehran Idris Khan, Yen-Chiang Chang, Wen-Hong Liu, 2025-04-29 Environments have no boundaries and no borders Managing oceanic environments particularly the threats and risks of pollution should also consider the shared responsibility of all coastal states Emerging issues for oceanic pollution governance include global changes like rising temperature ocean acidification but also disturbances of ecosystem functioning by plastic and pollution by other emerging contaminants for example noise pollution and deep sea mining These call for efficient and sustainable prevention and restoration strategies such as efficient urban and industrial sewage treatment plants efficiently administered transnational marine protected areas and among others sustainable aquaculture extensive small scale fisheries Environmental protection warrants the development of interrelationships between marine sciences relevant industries and ocean governance developing internationally accepted rules and regulations for sustainable ocean management This Research Topic will explore possible new domains of ocean governance and the marine environment from the interdisciplinary perspectives of the rule of law including the international agreement on equal conventions the Convention on Facilitation of International Maritime Traffic the Convention on the International Regulation for Preventing Collisions at Sea and International Convention for the Prevention of Pollution from Ships MARPOL Environmental Laws United States. Congress. Senate. Committee on Environment and Public Works, 2004

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