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Environmental Law: Establishing a Rational Environmental Society

Fred P. Bosselman

Stuart L. Deutsch

A. Dan Tarlock

IIT Chicago-Kent College of Law

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ENVIRONMENTAL LAW: ESTABLISHING A RATIONAL ENVIRONMENTAL SOCIETY

Environmental protection is a high political priority in this country, in many countries throughout the world, and in much of the international community. Initially, environmental protection meant either controlling pollution at the point of discharge or the protection of land from almost all development. Because there was so much smoke belching into the air and raw sewage flowing into our rivers, the case for environmental protection seemed so obvious that there was little appreciation of the fundamental challenges that environmental protection poses for the way both developed and developing nations organize their economies. The environmental movement, which flowered in the late 1960s, had startling success convincing Congress to eliminate the obvious sources of pollution. This movement spread to Europe and is now a political or social force in almost all countries of the world.

We now know that environmental protection both in the United States and through the world is a more complex problem because national accounts must be adjusted to reflect environmental damage and because the issue extends from pollution control to issues of social equity. We offer three perspectives on the future environmental agenda. Professor Deutsch draws on the lessons of the past twenty-five years and proposes a new, far-reaching environmental protection agenda. Professor Tarlock examines efforts to share the development of international environmental law between sovereign states, the sole legal actors in classic international law, and non-governmental environmental organizations. Professor Bosselman examines the often noted but seldom explored affinity and tension between the preservation of environmental resources and the preservation of ethnic or religious communities.

*Fred P. Bosselman
Stuart L. Deutsch
A. Dan Tarlock*

