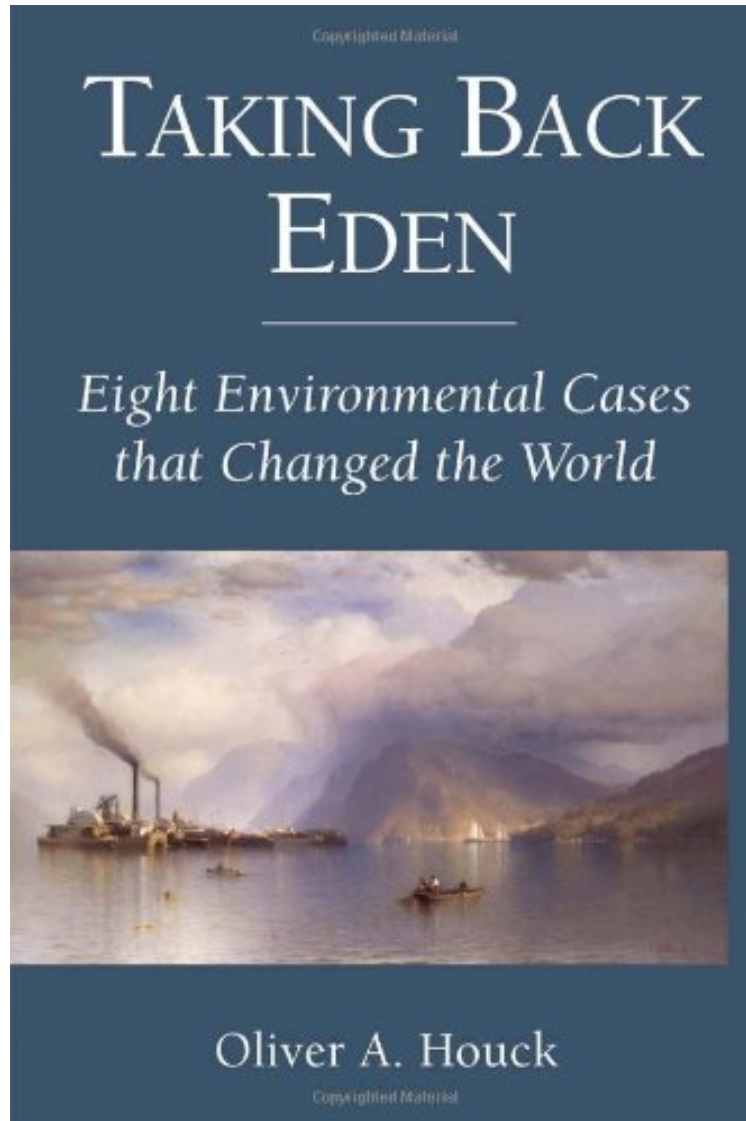


Taking Back Eden: Eight Environmental Cases that Changed the World

Oliver A. Houck

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Oliver A. Houck : Taking Back Eden: Eight Environmental Cases that Changed the World before purchasing it in order to gage whether or not it would be worth my time, and all praised Taking Back Eden: Eight Environmental Cases that Changed the World:

0 of 0 people found the following review helpful. Environmental Law CourseBy S. AlpertRequired reading for an Environmental Law course, though very interested and relevant to the present. Ties the reader in to most stories,

although with some unavowed bias it is a good intro to environmental law cases and concepts. 0 of 0 people found the following review helpful. Unique book on international environmental case law By environmental lawyer For anyone interested in environmental law, this is a great book. Lawyers and non-lawyers alike will find it an engaging, informative--indeed inspirational read. These are David and Goliath stories, told beautifully by "environmental law's greatest storyteller," in the words of William Rodgers, himself one of the renowned environmental law professors of our era. Beginning with the Storm King Mountain case in New York (a project to cut the top off a mountain on the Hudson River to enhance power production for New York City), and ranging through cases in Japan (a road project threatening a Shinto shrine), to Canada (Native American cases to stop mammoth water projects), to Russia (a case to halt the government give-away of parks to private developers), these stories recount the remarkable transformation of environmental law around the world in the past forty-plus years. In the Philippines, a young lawyer of remarkable courage succeeds in having the legal rights of future generations recognized. In Chile, the controversy over an American's purchase of more than half a million acres of land in Tierra del Fuego prompts judicial consideration of the Chilean Constitution's "right to a clean environment," ushering in a new era of access to the country's courts and setting an example for the world. (Note that there is no such "right" in the U.S. Constitution.) One not only learns about the law here, but also about the historical context--whether New England, the Philippines, or the Taj Mahal. The Taj Mahal, in fact, is a story both inspiring and sobering. The story begins with the recognition that the Taj itself is deteriorating because of air pollution. In response to actions by the lone environmental lawyer who started it all (M.C. Mehta), the Indian courts have "closed many polluting facilities, relocated others, established a green belt, removed the most invasive of the souvenir shops, brought natural gas into the city, and accelerated construction of a heavy vehicle bypass. It has required new reports, engaged itself in decisions as minute as monitoring stations and parking lots, directed an allocation of Taj entrance fees to the city for its improvement, and issued contempt citations against actors it believed were responding too slowly, or not at all. "And yet, the air of Agra remains toxic, the Yanuma still stinks, and the marble faces continue to erode." As Houck observes near the end of his book, "Environmental protection remains a very hard road, against odds as steep as the human impulse to make as much money as quickly as possible, deny unpleasant news, and leave others holding the bag. By running against these instincts environmental law makes powerful enemies every day of its life, and few powerful friends. Not many people amass fortunes by treating nature kindly, nor do they get named for a dam or highway they didn't build. All the momentum runs the other way. "What environmental lawsuits do is to help balance the scales. Courts of law, to the extent they are impartial, are the one venue beyond routine capture by the money and politics that drive the other two branches of government." In every instance here, the real driver is a dogged individual or two taking on incredible odds, often at considerable personal risk. If your faith in the power of individual action has ever flagged, read this book. 0 of 0 people found the following review helpful. How dedicated individuals inspired their countries to save their most important resources By Mountain reader Every day we are inundated with bad news about the health of our environment, but how much do we know about efforts of individuals around the world who enlighten and inspire the judicial systems in their countries to save the natural places that have deep significance to their countrymen. These individuals are lawyers, judges, government ministers, and dedicated citizens who spend years chipping away at monolithic bureaucracies and industries to stop illegal logging in the Philippines, defeat plans to dam the Acheloos river - the longest river in Greece that fed the once-fertile Thessaly plain, and prevent highway construction through a sacred forest and shrine in Japan. While most Americans are somewhat familiar with environmental laws in the United States designed to prevent air pollution, protect surface waters, or prevent illegal dumping of hazardous wastes, we never hear about the history of forest protection in Russia or the small group of Moscow citizens whose fight to protect an historic forest in the middle of the city led to a nationwide movement to save endangered forests around the country. It came as a surprise to this reader that the courts of India were willing to take over the role of government agencies and take on the formidable task of regulating industry themselves once they learned that air pollution was destroying the Taj Mahal and the health of everyone in Agra. Professor Houck skillfully weaves together the stories of the individuals, the laws, the judicial systems, and the landscapes that form the history of a people and the significance of saving those landscapes for the future. Preserving Russia's trees preserves water in their rivers, preventing clear cutting in Patagonia may save the economy of Chile. This is a rare book, with beautifully told stories, that brings environmental law to life and helps lawyers and non-lawyers alike understand that people around the world know the significance of saving a river or a forest will improve the quality of human life. We also learn that the laws and courts of the two largest economic powers of the northern hemisphere, the United States and Canada, lag far behind other countries in recognizing the importance of environmental protection and the rights of indigenous people.

Taking Back Eden is a set of case studies of environmental lawsuits brought in eight countries around the world, including the U.S., beginning in the 1960s. The book conveys what is in fact a revolution in the field of law: ordinary citizens (and lawyers) using their standing as citizens in challenging corporate practices and government policies to change not just the way the environment is defended but the way that the public interest is recognized in law. Oliver Houck, a well-known environmental attorney, professor of law, and extraordinary storyteller, vividly depicts the

places protected, as well as the litigants who pursued the cases, their strategies, and the judges and other government officials who ruled on them. This book will appeal to upperclass undergraduates, graduate students, and to all citizens interested in protecting the environment.

"This book could only have been written by environmental law's greatest storyteller: a synthesis of opportunity, courage, slapdash enthusiasm, and relentless pursuit of good law by well-motivated people."