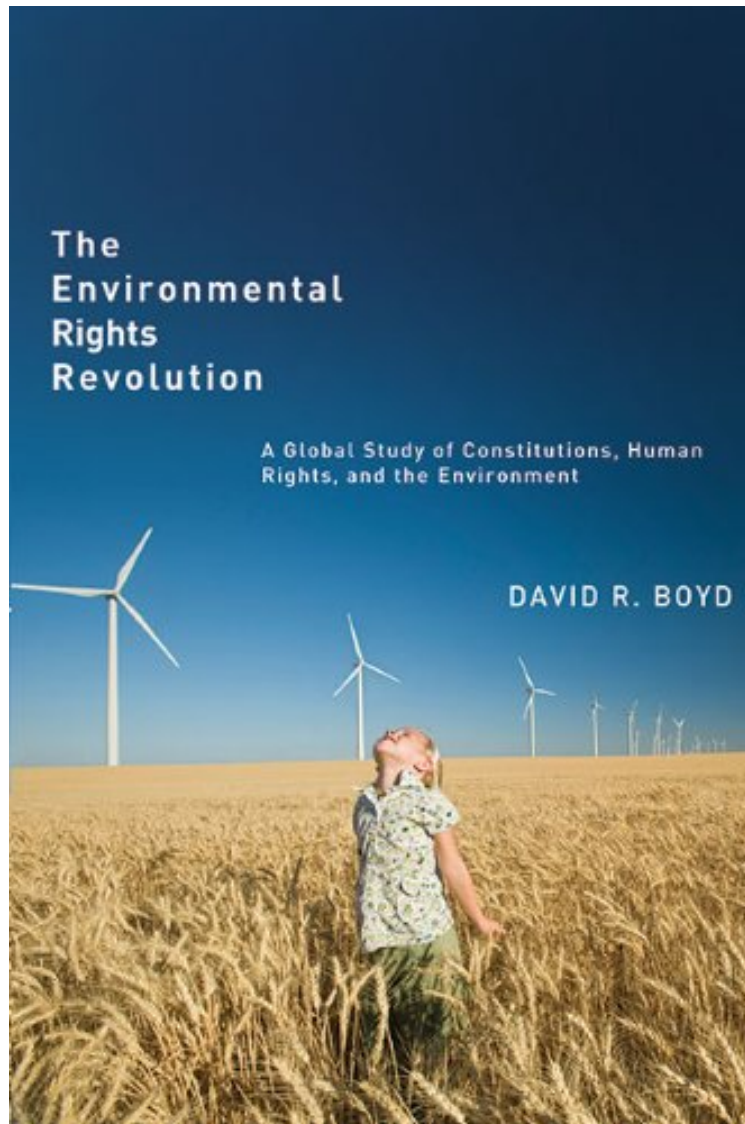


(Get free) The Environmental Rights Revolution: A Global Study of Constitutions, Human Rights, and the Environment (Law and Society)

The Environmental Rights Revolution: A Global Study of Constitutions, Human Rights, and the Environment (Law and Society)

David R. Boyd

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The right to a healthy environment has been the subject of extensive philosophical debates that revolve around a key question: Should rights to clean air, water, and soil be entrenched in law, in the constitutions of democratic states? In *The Environmental Rights Revolution*, David Boyd, one of Canada's leading environmental lawyers, answers this question by moving beyond theoretical debate to measure the practical effects of enshrining the right to a healthy environment in constitutions. His analysis of 193 constitutions and the laws and court decisions of more than 100 nations shows how the constitutional right to a healthy environment has been incorporated in legislation and is being judicially enforced in Europe, Latin America, Asia, and Africa. Nations with constitutional protections have stronger environmental laws, enhanced enforcement, greater government accountability, and better access to justice, information, and public participation in decision making than nations without such provisions. As a result, they also have smaller ecological footprints, rank higher on comprehensive indices of environmental performance, and have reduced pollution faster. This important and timely book not only demonstrates that enshrining environmental protection into national constitutions has the power to make sustainability a priority, it tells inspiring stories about the difference the right to a healthy environment is making in people's lives.

While the environmental rights theme is well-trodden scholarly ground, David Boyd eloquently frees this enquiry from the restrictive theoretical confines of the ivory tower by investigating the actual impact that rights have on environmental governance. This has not been done before in such a comprehensive, critical, and thorough manner. This work breaks new ground in terms of approach, content, scope, and methodology and is well worth a place on the bookshelves of anyone who takes environmental rights and governance seriously. - Louis J. Kotz, Professor of Law, North West University, South Africa
Boyd's is a book we wish we had written. We will turn to it again and again in our own scholarship, teaching, and advice to litigating colleagues. No other study has pulled together so much information on constitutional environmental rights. It will be immensely useful to scholars searching for new material to explore and fruitful directions for future research. Legislators seeking to implement environmental rights can turn to it for guidance. Lawyers searching for court precedents will find a treasure trove of them here. The book moves beyond the tired debates about whether environmental rights should exist by focusing our attention instead on how the diverse legal systems of the world are actually putting these rights into effect. Bravissimo! - Professors Svitlana Kravchenko and John E. Bonine, University of Oregon, co-authors of *Human Rights and the Environment: Cases, Law, and Policy*
Boyd's book is ambitious in scope, innovative in approach, persuasive in its arguments, and inspiring in its conclusions. *The Environmental Rights Revolution* is an impressive piece of comparative legal scholarship with practical implications for society's ongoing quest for a sustainable future. - Professor Marie-Claire Cordonier Segger, Director of the Centre for International Sustainable Development Law and Affiliated Fellow at the Lauterpacht Centre for International Law, Cambridge University
David R. Boyd's thorough and carefully presented research provides a clear and detailed account of how environmental rights are being implemented throughout the world. After an initial orientation to the philosophical debates about human rights and the environment, Boyd moves on deftly to investigate which arguments are vindicated in practice. Identifying the evidence available about the practical effectiveness of environmental rights, he provides an invaluable assessment of developments to date as well as a guide to promising future directions of research. This extremely well written book is an essential guide to environmental rights in theory and in practice. - Professor Tim Hayward, University of Edinburgh, author of *Constitutional Environmental Rights*
This book is a must read for scholars, jurists, and advocates of environmental law. Professor Boyd has single-handedly brought the field of environmental human rights into the twenty-first century. - Lynda M. Collins, Centre for Environmental Law Global Sustainability, University of Ottawa
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From the Inside Flap

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