Principles of Environmental Law

Elgar Encyclopedia of Environmental Law series

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Environmental law principles, such as the polluter pays, the precautionary principle or the common but differentiated responsibilities, have had a very important function in the shaping and evolution of the young sector of environmental law which has developed over the last fifty years. Yet, their status, content, binding force and functions in law remain largely uncertain. Forming a key part of the Elgar Encyclopedia of Environmental Law, this book examines the facets of environmental principles in international, national and regional law, as applied in different parts of the world and by a variety of courts. It assembles more than fifty contributions from all continents which clarify that, as the environment itself has no voice and cannot express its concerns, there is an overriding importance of scholars’ active discussion of environmental principles. The book demonstrates that the necessity to preserve this planet requires a continuous, democratic discussion of values, objectives and concepts which are expressed in the numerous and continuously evolving environmental principles.

‘This is a weighty tome, consisting of 49 chapters and running to some 743 pages – weighty in length, and also in substance. It is a timely and substantial contribution to the field of environmental law, containing a rich body of erudition that will be of significant value to environmental lawyers, and indeed to others with a high-level interest in environmental studies. The editors and contributors consist of a roll-call of many of the foremost names in legal environmental scholarship. The cumulative commentaries and analyses do not disappoint.’
— Thomas Muinzer, The Idox Information Service

‘It is masterful, informative and stimulating, with contributions from a host of lawyers from the international environmental law community... There is much of value in this book and it is highly recommended.’
— Nicholas Whitsun-Jones, elaw

‘This volume examines over two-dozen environmental principles, and does an excellent job of distinguishing between principles and rules. Early sections cover particular principles such as proximity, integration, sustainable production, eliminating harm, and nonregression. Later sections are devoted to environmental principles in particular areas of the world, such as North America, Europe, Russia, Australia, and Africa, and explain how different legal cultures affect these principles. The role of the courts in applying the principles and their incorporation into treaties is also examined. The contributors hail mainly from academic institutions and many different countries and disciplines, and this diversity brings a welcome international perspective and multidisciplinary approach to the volume. Each of the approximately 50 well-written sections contain an abstract, keywords, an outline, many footnotes, and an extensive bibliography, and there is a long list of abbreviations and a very thorough index.’
— M. A. Manion, Choice

‘The book exposes the richness, diversity and dynamics of environmental principles in international and national law regarding their legal status, practical role in the legal system and substantive meaning. It also draws the attention of the reader to the gap that exists between the legal aspirations associated with environmental principles and their limited practical impact on environmental policy and the state of the environment world-wide.’
— Eckard Rehbinder, Goethe University Frankfurt, Germany
‘Everything you need to know about environmental principles in one easily accessible book. An essential resource for all who seek to protect the environment and all who will have an impact on the environment as part of their work.’
– Sharon Beder, author of Environmental Principles and Policies

‘Principles of Environmental Law is a superb exposition of the norms that guide the environmental conduct of States and their governmental agencies, courts, intergovernmental organizations and ultimately humans. The distinguished contributors reflect all legal traditions and provide profound assessment for the breadth of principles presented.’
– Nicholas A. Robinson, Pace University, US