

1. Record Nr.	UNISA990000382870203316
Autore	ALAS, Leopoldo
Titolo	Su unico hijo / Leopoldo Alas "Clarín" ; edición de José M. Martínez Cachero
Pubbl/distr/stampa	Madrid : Altea, 1991
ISBN	84-306-0108-2
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Collana	Clasicos Taurus ; 9
Disciplina	863.5
Collocazione	VI.5.A. 343(II sp B 4 90)
Lingua di pubblicazione	Spagnolo
Formato	Materiale a stampa
Livello bibliografico	Monografia
2. Record Nr.	UNINA9910511998703321
Autore	Stacey Jocelyn
Titolo	The constitution of the environmental emergency // Jocelyn Stacey
Pubbl/distr/stampa	Portland, Oregon : , : Hart Publishing, , 2018
ISBN	1-5099-2028-5 1-5099-2030-7 1-5099-2029-3
Descrizione fisica	1 online resource (295 pages)
Disciplina	344.04/6
Soggetti	Disasters - Risk assessment Environmental disasters Environmental law Environmental protection Law - Philosophy
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia

Nota di bibliografia

Includes bibliographical references and index.

Nota di contenuto

Introduction -- I. Methodology, Terminology and Context -- II. Outline of the Book -- Part I: The Environmental Emergency -- 1. The Concept of the Environmental Emergency -- I. The Environmental Emergency -- II. Failing Schmitt's Challenge -- III. The Formal Conception of the Rule of Law -- IV. Conclusion -- 2. Environmental Reform: The Problem of Discretion in Environmental Law -- I. The Environmental Reform Position -- II. Black and Grey Holes in Canadian Environmental Law -- III. Impoverished Environmental Reform Solutions -- IV. Conclusion -- 3. Environmental Governance: The Problem of Law in Environmental Law -- I. Old and New Governance -- II. Three Examples of Environmental Governance -- III. Reclaiming the Rule of Law -- IV. Conclusion -- Part II: Responding to the Environmental Emergency 4. The Requirement of Public Justification -- I. Responding to Schmitt's Challenge -- II. Public Justification: A Democratic Conception of the Rule of Law -- III. Conclusion -- 5. Institutional Design: Reforming Forest Practices -- I. The Institutional Dimensions of Public Justification -- II. The Forest Practices Board and the Mountain Pine Beetle Response -- III. The Forest Practices Board and Its Governance Response -- IV. Conclusion -- 6. Pipelines and Principles: Reasonableness and Fairness in Environmental Law -- I. The Pipelines, the NEB and Their Problems -- II. In Defence of Environmental Principles -- III. Publicly Justifying the Pipelines 7 -- IV. Conclusion -- 7. Reasoning Adequately: Wind Turbine Risks and Benefits -- I. The Confluence of Environmental Factors in Wind Turbine Development -- II. The Method and Purpose of Reasonableness -- III. Reasoning Adequately about Wind Turbine Approvals -- IV. Conclusion -- 8. The Rule of Law and the Right to a Healthy Environment -- I. The Case for a Charter Right to a Healthy Environment -- II. Environmental Protection and Section 7 Adjudication -- III. Common Law Constitutional Rights Adjudication -- IV. Conclusion

Sommario/riassunto

This book argues for a reframing of environmental law. It starts from the premise that all environmental issues confront lawmakers as emergencies. Environmental issues pose a fundamental challenge to law because it is impossible to reliably predict which issues contain the possibility of an emergency and what to do in response to such an unforeseen event. These features undermine the conventional understanding of the rule of law. This book argues that approaching environmental issues from the emergency perspective leads us to an understanding of the rule of law that requires public justification. This requirement recentres the debates in environmental law around the question of why governance under the rule of law is something worth having in the environmental context. It elaborates what the rule of law requires of decision-makers in light of our ever-present vulnerability to catastrophic environmental harm. Controversial, compelling and above all timely, this book presents an important new perspective on environmental law

3. Record Nr.	UNINA9910463041103321
Autore	Ackerman Bruce A
Titolo	Private property and the Constitution // Bruce A. Ackerman
Pubbl/distr/stampa	New Haven : , : Yale University Press, , 1977
ISBN	0-300-15806-8
Descrizione fisica	1 online resource (314 p.)
Disciplina	343/.73/025
Soggetti	Constitutional law - United States Eminent domain - United States Property - United States Electronic books.
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Description based upon print version of record.
Nota di bibliografia	Includes bibliographical references and indexes.
Nota di contenuto	Front matter -- Contents -- Acknowledgments -- 1. Two Directions for Legal Thought -- 2. Scientific Adjudication -- 3. Utilitarian Adjudication -- 4. Kantian Adjudication -- 5. Ordinary Adjudication -- 6. Layman's Things -- 7. On the Nature and Object of Legal Language -- Notes -- Table of Cases -- Index
Sommario/riassunto	The proper construction of the compensation clause of the Constitution has emerged as the central legal issue of the environmental revolution, as property owners have challenged a steady stream of environmental statutes that have cut deeply into traditional notions of property rights. When may they justly demand that the state compensate them for the sacrifices they are called upon to make for the common good? Ackerman argues that there is more at stake in the present wave of litigation than even the future shape of environmental law in the United States. To frame an adequate response, lawyers must come to terms with an analytic conflict that implicates the nature of modern legal thought itself. Ackerman expresses this conflict in terms of two opposed ideal types---Scientific Policymaking and Ordinary Observing---and sketches the very different way in which these competing approaches understand the compensation question. He also tries to demonstrate that the confusion of current compensation doctrine is a product of the legal profession's failure to choose between

these two modes of legal analysis. He concludes by exploring the large implications of such a choice---relating the conflict between Scientific Policymaking and Ordinary Observing to fundamental issues in economic analysis, political theory, metaethics, and the philosophy of language.
