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Advancing Environmental Law At Pace: A Personal Memoir, A Continuing Challenge

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How did an unaccredited law school, admitting its first students in 1976, become renowned as a national and international leader in environmental education in less than three decades? What did Pace have to attract some of America's brightest and best college graduates to pursue their careers in environmental law in White Plains? Why did Yale Law School's Dean Anthony Kronman, in 1999, call Pace's program one to which "other law schools look with admiration and envy…one of the best in the country, indeed the world…"[1]

Each generation of alumni intimately knows the answer to these questions, but through the lenses of their own student years. Like runners in a relay race, every three years since 1978, students and professors and staff built one of the world's premier programs in environmental legal education. At graduation, each cohort of law students passes the responsibility on to the next cohort of students. Alumni are related to their law school forever, but, curious about what went to build environmental legal education at Pace in the 27 years when they were not students, they have asked me to tell the story. Here goes.

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* After graduating in 1970 from Columbia University School of Law and clerking for US District Judge Morris E. Lasker (1970-72), Nick Robinson was on leave from the law firm of Marshall, Bratter, Greene Allison & Tucker, serving as an International Fellow at the Council on International Relations, when Dean Robert Fleming recruited him to come to teach at Pace. While establishing Pace's environmental legal education programs, he also maintained his practice skills, both to keep abreast of developments in the practice of environmental law and to better understand how to educate "practice ready" law graduates, a concern of the American Bar Association's "MacCrate Report." In accepting Pace's offer, Marshall, Bratter named him Special Counsel, and he continued a part-time practice of environmental law with Marshall Bratter until 1982, when the firm dissolved. He subsequently served as Deputy Commissioner and General Counsel of the NYS Department of Environmental Conservation (1983-85), and thereafter he served as Of Counsel in environmental law successively to Sive, Paget & Reisel for domestic environmental law and then as Of Counsel to Sidley & Austin for a practice in private international environmental law. In 1996 he resigned his Of Counsel positions when he was appointed Legal Advisor to the International Union for the Conservation of Nature & Natural Resources (IUCN), practicing in international public law. At the end of his service for IUCN, in 2004 he was named Legal Advisor to the Observer Mission to the UN of the Asian-African Legal Consultative Organization, continuing a practice in public international law. All the while, he managed to continue his primary mission, building one of the world's premier environmental legal education programs, at Pace University School of Law. His practice and consulting has enabled him to bring the real world of legal issues, skills and practice into his classes at Pace.

[1] *Environmentally Friendly*, vol. 3, no. 1 (Fall 1999), p. 2, (Dean Kronman's commencement address).

Setting the Stage

Universities are about people. Students and faculty originate, transmit and retain knowledge and skills. More than any other factor –save nature itself – the story of environmental law at Pace Law School is about the individuals who collaborate together to learn about and try to understand how human laws and nature's laws can become as one. Pace's environmental law alumni have invited me to recount how Pace came to have an environmental law program. All that I can possibly do is to provide the framework of an explanation. Successive generations of alums separately must write the history of the *Pace Environmental Law Review*, of the Hudson Riverkeeper Clinic, of the LL.M. and S.J.D. programs, of the evergreen J.D. Environmental Law Society, of the National Environmental Law Moot Court Competition, of the Energy Project or the Washington, D.C. Externship, or the New York Environmental Externships, or the Brazil and other international programs. Pace graduates could – and must someday – write the histories of their accomplishments, both while at Pace and after graduation. Collectively, these accounts will encourage their successors-in-interest among present and future students at the Law School. Based upon what environmental lawyers know about the effects of climate change, we shall all need this encouragement.

The people mentioned here are primarily the professors and staff at Pace Law School. The environmental law alumni need to tell the story of their own student contributions. My academic labors building Pace are intertwined with each of the components of Pace's integrated environmental law program, but this was a work of many hands, and my role was often catalytic. The whole is greater than the sum of the parts. In this essay, I sketch how the whole came to be from my personal perspective. May I apologize in advance for not regaling readers here with the success story of each component?

Our Law Librarian, Prof. Marie Newman, has established an Archive for Pace's Environmental Law Program, and I invite all alumni to send Prof. Newman their documentary memorabilia of 30 years. Our new Assistant Dean for the Environmental Law Program, Alexandra Dunn, would welcome alumni reminiscences to feature in our journal, *GreenLaw*, which she edits. I invite you to supplement my memoir here with your own. Please set the record straight, take issue with my personal interpretation of the past three decades, and supplement my memory. The history of environmental law at Pace deserves to be rewritten with the contributions of all who made it.

It was my privilege to be the principal, but surely not the only architect of the loom on which we all have woven the strands of Pace's environmental law program together into the rich tapestry we celebrate today. We succeeded because of the multiple contributions and support of dedicated staff over the years. Norma Sachs, Hedgie Johnston, Mary Liscio, Wendy Porterfield, Alta Levat, Ann Hyatt, Dorothy Unams, Angie D'Agostino, Cathy Alexander, Nilda Rodriguez, Betty Donovan, Loretta Musial, Delores Vohnout, Kay Longworth, Connie Hough, Marybeth Postman, Leslie Tripodi, Judy Jaeger, Gail White, Mary Stagliano, Leslie Crincoli, Jade Dillon, Deborah Zipf, and Karen Ferro, and *many* other administrators and administrative assistants contributed to the Law School's environmental program. *They cared*: about students, faculty and our environment. Today's students and faculty and staff still continue to weave new strands

into this every changing tapestry, and even redesign the supporting loom. I hope that we shall do so always.

Leadership, in a university as in life itself, is an inter-generational responsibility. I came to Pace, with Shelley and our two young daughters, and now we enjoy five young grandchildren. In the same time span, more than 1,000 environmental practioners are graduates of Pace's environmental law program. This history, commemorating a 30 year marker in this marathon race of life, celebrates the passage of Pace's environmental lawyers through Preston Hall, to their individual leadership in the field of environmental law. Through their varied practices of law, Pace proudly participates in their environmental stewardship for Earth in the coming decades.

The Environment and Pace: Unfinished Business

I came to Pace Law School as much to advance environmental law as to help start of new law school. These have always been co-equal aims for me, and this fact colors what we did at Pace over the past three decades. If the first objective has been largely accomplished, the second is far from realized.

When Pace opened in 1976, the idea of having alumni seemed very distant. Dean Robert B. Fleming was recruiting both students and faculty, putting in place teachers and classes semester by semester, building the *Juris Doctor* degree program a year at a time. Skeptics eyed the new law school on all fronts; people were unsure about the School's prospects. I was no different. Invited in 1977 to join the fledgling faculty of the newly minted law school in Pace University, my response was that I would do so *only if* we could establish a program to advance environmental law. By most accounts, if environmental law existed at all, the field was less than five years old. Few understood the National Environmental Policy Act of 1969, or the 1970 Clean Air Act, or 1972 Clean Water Act, or the NYS Environmental Conservation Law (ECL), which was newly recodified in 1972, or the UN Environment Programme launched in 1972 at the UN Conference on the Human Environment in Stockholm. Serving on the Legal Advisory Committee to the President's Council on Environmental Quality, I had helped launch NEPA; organizing the Sierra Club's international program, I had attended the Stockholm Conference. I had drafted New York's wetlands laws, adding to articles to the ECL. With a New York City law firm, I had applied these early statutes in practice. But in 1977 few lawyers had ventured down such pathways, and the volume of state, national and international environmental law was already dense and foreign to most lawyers.

Bob Fleming, and Pace's President Edward Mortola and Provost Jack Schiff, met my bluff. I began teaching Property Law in January of 1978, and worked with Pace's students to establish the Pace Environmental Law Society. We celebrated Earth Day in April of 1978 on the Preston Hall lawn. In 1979 I analyzed and prepared a plan to establish an environmental law specialization at Pace, and in 1980 Pace's still small Law Faculty approved my "Prospectus," to build an environmental law program. Pace had very scarce resources in those days, and the Faculty essentially granted me a "hunting license" to seek the resources that we would need.

My conception was for Pace to advance the role of law in conserving nature and protecting the environment. Even in 1978, it was evident that the vast scope of

environmental law demanded huge increases in legal support services, major re-conceptualizations of how to harmonize human laws with the laws of nature, and new local, national and international laws to abate pollution, cease exhaustion of natural resources, and establish protection of nature as a fundamental norm, not an expendable amenity. However, this vision was not even close to being a mainstream legal view, and it took a leap of faith for Bob Fleming and my faculty colleagues to mandate me to promote this law reform agenda.

Pace has developed and taught over 25 subjects in environmental law, in three degree programs. Pace's research and publications in this field are substantial. The development of each component had to follow the same "drill," as Bob Fleming liked to call academic process. Often excruciatingly slow, my colleagues and I repeatedly walked a path of four phases every time we added any element of our environmental law program: (a) the study and design of curricular or research projects or programs; (b) the discussion with colleagues outside of the environmental faculty or law school; (c) winning the approval of the Faculty, the Deans, the University and often external examiners; and (d) implementing and refining the continuously updating what is established. Each phase entailed the continuous recruitment of a new generation of law students, while also often securing successively new teachers and administrators. It was a personal challenge to design and teach many of the some 25 environmental law courses that we have offered. New course preparations take a lot of time. To repeat these academic cycles requires some perseverance. If some called me a glutton for punishment, and others an "energizer rabbit," I can reveal that only a labor of love sustains such work over three decades: a love of the environment and a faith that education can contribute to our stewardship of nature.

Today I fear that I was overly optimistic. While Pace now has one of the premier programs in environmental legal education in the world, our environmental law accomplishments must be acknowledged as being just the prelude to the ever greater challenges looming ahead of us. Climate disruption is no longer a gathering storm. It is a clear and present danger, and all the tools of environmental law will be needed if our societies around the world are to cope with its impacts.

Climate disruption calls upon us to put all our environmental law to use.. Environmental impact assessment must be embraced at the core of all governmental decision-making, and not be held at the fringe or avoided. Methodologies of technology assessment must be resuscitated, and married with new economic and social methods for demand side management of energy and natural resource use. Ecological restoration of degraded places must become a priority. All pollution and all forms of waste must be ended; waste is literally as "*waste*" and our laws need to embrace the 4 "Rs": *refuse, reduce, reuse and recycle.* If we are to mitigate the effects of greenhouse gases on Earth, the use of gasoline, the internal combustion engine, and the use of coal must be phased out at soon as possible. If these objectives seem illusory or far-fetched today, they will seem ordinary and inadequate 30 years from now…just as in 1978 the goals of pollution control or nature conservation then seemed to many to be folly. How many apologists who attacked Rachel Carson, or John Muir before her, would eat their words today?

Pace's environmental law programs are poised to address this coming generation of challenges. In retooling to address climate change, the drill begins again. Pace will repeat the familiar steps of academic decision-making, so familiar from the past three

decades. One encouragement that inspires me still is the gift of Sylvia Feldshuh, the oldest graduate in Pace's first graduating class. I worked with Sylvia to secure opportunities to practice environmental law. She had been a high school art teacher before her husband, an attorney, died, and she decided to go back to law school to see what his husband had been doing all those years. She was spirited and had the same sort of "can do" attitude toward the hard work of law school that characterizes most Pace law students. One day in 1983, she called my colleague Prof. Don Stever and asked for a meeting where she announced that she was endowing a scholarship for an LL.M. candidate and a J.D. award in her husband's memory. That scholarship helped many students, including one of Pakistan's leading environmental law experts, Jawad Hassan,[2] come to Pace and become expert in this field. She believed in building environmental law skills and in helping all of us at Pace in our continuing efforts. Her gift and spirit live on across the three decades of this story.

The First Decade: Assembling Pace Core Program

My recruitment to Pace was occasioned by students asking for a course in environmental law. As Jack Schiff and Bob Fleming prepared the law school's first curriculum, they made provision for a single course, which I taught, later adding an advanced seminar. The handful of Pace students keen to learn about environmental law in 1978 gradually grew in numbers. To "grow" Pace's program, I could not be the only teacher in this field.. I recruited to our faculty, Donald W. Stever, Jr., who joined Pace in 1982, coming from senior positions in environmental law in the US Department of Justice and before that in the Office of the New Hampshire Attorney General. Don also taught property law, but more importantly his arrival doubled our full-time faculty expertise in environmental law. In addition, through my work establishing the Environmental law Section of the New York State Bar Association, and chairing the Environmental Law Committee of the Association of the Bar of the City of New York, I assembled a band of extraordinary adjunct professors from among the early practioners of this new field, such as Arthur Palmer, Joan Ferretti, and Joel Sachs.

The first challenge was to build scholarship in environmental law. I taught a seminar, guiding students to undertake original research. Together, during 1980-82, we build up a body of scholarship that deserved to be published. My proposal to constitute the *Pace Environmental Law Review* was approved by the Faculty, but initially was vetoed by President Mortola; Pace Law School' efforts to establish the *Pace Law Review* were delayed and far over-budget, and the President did not wish a repeat. I countered that the students deserved to be published, and that for our profession of law to be "learned," we all needed the scholarly scrutiny of a new journal in environmental law. I was again told I could launch the new journal *only* if I found outside funding to so.

While all this was going on, the new Law School made some extraordinary demands on me. The early faculty was divided over a number of issues, not involving environmental law. I was named to chair a Faculty Committee on Planning and Review, to draft the Law School's first Constitution and see it adopted, review the entire initial

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[2] See Jawad Hassan, Environmental Law of Pakistan (Book Biz, Lahore, Pakistan, 2005 ISBN 969-8761`-06-3).

curriculum, to draft the Promotion and Tenure Regulations, and secure approval of the constitution and "P&T" Regs by the University's Board of Trustees. This took some 18 months of full-time work, and I won the agreement of both Faculty and the University. Thereafter, I worked closely with interim Dean James Hopkins, who followed Bob Fleming, and led recruitment of new faculty members such as Willem Vis. All the while, however, I made the "extra" time to keep the faith with the small but dedicated band of law students who shared my conviction that it was critical to strengthen the remedial goals of environmental law.

I secured the agreement of The Associated Faculty Press to publish the *Pace Environmental Law Review*, at no cost to Pace (and no income to Pace either), and the University approved establishing the "***PELR***." On October 10, 1983, Dean Janet Johnson, who had succeeded Jim Hopkins, launched volume I, number 1, of the *Pace Environmental law Review*. It required two student editorial boards to establish the journal, with the help of my faculty colleagues, including our law libraries and Prof. Ralph Stein, who enthusiastically trained editorial staff and mentored the fledgling peer review. Don Stever and Ralph Stein and I each spoke at ***PELR***'s launch. The late Lois Murphy was editor-in-chief in 1982-83 and Marla Rubin for 1983-84. Lawrence Pringle contributed a photo of the Hudson Highlands for the cover, and an outstanding group of hard-working editors made the publication a huge success. To note but a few of the accomplishments of our first editors, Christopher Blanc went on to establish the first environmental crimes unit in the Brooklyn District Attorney's Office, Marla Rubin became the leading scholarly commentator in New York State on professional responsibility in the practice of environmental law, Nada Morin became general counsel of a major Connecticut insurance company, and Hon. C. Scott Vanderhoef is the County Executive of Rockland County. I could go on and recite comparable achievements by graduates who distinguished themselves as the leaders of every editorial board since 1983. Suffice it to say, Pace is inordinately proud of both **PELR** and every editor and staff member whose work has earned this journal its reputation today as one of the national's leading environmental law reviews. Eventually, Pace assumed responsibility for publishing ***PELR***, and incorporated it into the law schools' budget. ***PELR*** is acclaimed for its many important symposia, articles and notes, but the merits of these scholarly accomplishments deserve a history of their own. For instance, the symposium on animal rights organized by ***PELR*** Editor-in-chief Larry Falkin led to a series of annual conferences in animal rights organized by law students and faculty (Sue Porto brought Dr. Jane Goodall to speak at the 1999 conference), courses taught by the late Jolene Marion and then Sue Porto as adjunct professors, eventually being accepted by the Curriculum Committee and Faculty as an annual course on Animal Rights taught today by Prof. David Cassuto, with students also organizing an active student society for animal rights.

Concurrently while building ***PELR*** and expanding our course offerings, I prepared a proposal for the establishment of a Masters Degree in Environmental Law. To be credible in seeking a research foundation for Pace's environmental law program, I had consistently been partnering with the Directors of Pace's Law Library, Profs. Joseph Vambery, Bardie Wolfe, and Nicholas Triffin, and their colleagues Greg Koster and Martha Keister, Alice Pidgeon and others, to assemble the Library's core environmental law collection. I prepared and published an *Annotated Bibliography of the Environmental*

law Collection In the Pace University School of Law Library (Associated Faculty Press, 1982). This book, now obsolete, then helped guide our ***PELR*** editors and other law students in their research, but it also demonstrated that Pace had an adequate core of reference materials to sustain an LL.M. in Environmental Law. The Law Library has been an integral part of the environmental law research and writing courses, and contributed to teaching as well.

As my faculty colleagues, adjunct professors such as John Nolon and Joel Sachs, and I expanded our advanced course offerings to fourteen subjects, in 1982 I also designed a Certificate Program in Environmental Law, to allow lawyers to come and take some Pace courses. This required securing Pace University's support for the new Certificate, and thereafter secured the approval of the Certificate by the N.Y.S. Department of Education. The course sequences for the Certificate, including an intensive day-long course on Saturday, laid the basis for the later application for a Masters of Laws (LL.M.) degree in environmental law.

Pace's Provost, Joseph Pastore, had established a norm that no LL.M. program could be established unless the School in Pace University offering the degree had at least 3 full-time faculty members in residence to sustain it. This requirement was a wise baseline, to ensure that our Faculty had enough depth to staff the environmental legal education needs of the J.D. degree candidates, and the post-graduates. Fortunately, in 1983, Westchester's nationally acclaimed Congressman Richard L. Ottinger had decided not to run for re-election to the House of Representatives. He had been a leader in advancing environmental and energy legislation in Congress. He also had founded the Energy & Environment Caucus, the larges congressional caucus on any subject. When Dick Ottinger let the media know he would be interested in university teaching after his 18 years in Congress, Ed Mortola and I reached out to him, as did Duke University and several other institutions. Pace University School of Law won the competition, and Pace now had aboard its 3rd environmental law faculty member. In the meantime, I managed to publish the first treatise by a Pace Law Professor, when my book the Environmental Regulation of Real Property appeared in 1984. Based on that work, I had been teaching a course on the "Environmental Regulation of Real Property," which laid the curricular foundation for the later work of Prof. John Nolon, who was to come to take over that course after 1988 when he joined the Pace Law Faculty to teach Property Law.

Together with Dick Ottinger and Don Stever, I could now put in place the next substantive components for Pace's environmental programs. First, President Mortola announced establishment of the Pace Center for Environmental Legal Studies in 1983, co-directed by our three faculty members. We invited Don Stever's colleague from the Justice Department, Hon. Carol Dinkins, who, was the U.S. Justice Department's top environmental lawyer, as Assistant Attorney General in charge of the Land and Natural Resources Division. Carol Dinkins presented a lecture on the occasion of the launch of the Center. Her lecture became the lead article in the first issue of ***PELR.***

Thereafter, with my colleagues, I worked with the University to design and secure Law Faculty approval of the proposed LL.M. in Environmental Law. Pace retained a consultant to review our proposal for an LL.M. degree: Prof. Frank Grad, who had been one of my professors at Columbia Law School in the days before environmental law was taught, and had then built a scholarly reputation in this new field based on his expertise in Public Health law. Prof. Grad's report opined that Pace was ready to offer the LL.M.

degree in environmental law, and had the resources to do so. Working with the University, I secured amendment of the charter of the University to authorize it to confer the LL.M. and then secured the acquiescence of the American Bar Association, as the accrediting authority for legal education.

While some of these LL.M. approvals were pending, in 1983 I took a three-semester leave of absence to serve as Deputy Commissioner and General Counsel for the NYS Department of Environmental Conservation at the request of Governor Mario Cuomo and DEC Commissioner Henry G. Williams. When I returned to Pace in January of 1985, we undertook to implement the LL.M. degree and build a new clinic, to supplement the clinical externships that Don Steve and I had supervised. Working with Don Stever and the Hudson River Keeper, John Cronin, we designed an in-house clinic to complement our Environmental Law Externship Clinic. We crafted a unique and full-time Environmental Litigation Clinic, representing one clinic in one watershed, enforcing primarily the water pollution laws. In 1987, the Law Faculty had agreed to add to our ranks, and we recruited Professor Nancy Long from her environmental law trial practice in the U.S. Department of Justice and before that the Attorney General's Office in Maryland, becoming our 4th expert in environmental law. From its beginnings, Pace had been able to admit highly qualified women to constitute one-half of each class, and we faculty needed to do the same; this was our first step.

In 1985, we also had secured all the final approvals for the LL.M. in Environmental Law, and we admitted our first LL.M. candidate, a lawyer whom the Natural Resources Defense Council had referred to the Hudson Riverkeeper, Robert F. Kennedy Jr. During this period, the law firm demand for seasoned environmental lawyers was growing. The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) was adopted in 1980, and in 1986 Don Stever published his award-winning treatise on Chemical Regulation and Hazardous Waste (1986), which was a legal best-seller and the first law book on the subject. Subsequently, a major law firm recruited Don to start and lead its environmental law practice in New York, and he took his leave of full-time teaching. Dick Ottinger and I continued as the co-directors of the Center for Environmental Legal Studies. The Law Faculty and University approved our request to seek a successor, and in 1987 Pace proudly brought Jeffery G. Miller to the Faculty. Jeff had founded the US Environmental Protection Agency Region I offices in Boston, and gone on to become the nation's EPA Administrator for Water Enforcement under President Carter. He was a member of the Board of the Environmental Law Institute, the nation's leading research institute in the field.

Jeff Miller, Nancy Long and I worked with John Cronin, who was then Hudson Riverkeeper, to establish Pace's Hudson Riverkeeper Clinic. Bobby Kennedy worked with the Clinic from the start, first as the Hudson Riverkeepers' Prosecuting Attorney during his LL.M. studies. Having completed his LL.M., with a distinguished thesis on the law of falconry, Bobby Kennedy accepted Pace's invitation to join the Pace Law Faculty as a special clinical professor. Initially, Jeff, Nancy and I each team-taught the clinic with Bobby Kennedy, in alternating semesters, but the case load and student supervision cut deeply into our other academic responsibilities. We persuaded the law faculty to recruit a full-time clinician. Confronting resistance for budgetary reasons, we opined that we could raise the income for this from the attorney's fees that we would win for the Hudson Riverkeeper, based on the successful model of the Western Natural Resources Clinic at

the University of Oregon. Pace recruited Prof. Steve Solow from his position as Task Force Attorney in the Energy and Environment Unit of the NYS Organized Crime Task Force, to serve as our first full-time faculty clinician. Steve Solow and Bobby Kennedy Co-Directed the Clinic and were wonderful clinicians, inspiring outstanding service and professional growth in our law students; the Hudson Riverkeeper Clinic won virtually all its cases and the Riverkeeper was pleased to pay for the Clinic's legal services. When Steve Solow was recruited by President Clinton to become the head of Environmental Law Enforcement in the US Department of Justice, we reached out to Prof. Karl Coplan to succeed him. Karl had clerked for Chief Justice Burger in the U.S. Supreme Court, and been a partner at the successful environmental public interest law firm of Berle, Kass and Case. Karl's commitment to the Clinic has been exemplary, and students have established national precedents in water law enforcement.

During this period, under the leadership of Dean Steven Goldberg, who succeeded Jim Hopkins, the LL.M. program flourished. Pace admitted 50 lawyers to its post-graduate program, all eager to learn the elements of a hazardous waste practice, and later stabilized enrollments at about 15-20 per year. Other law schools took notice, and emulated Pace's environmental law degree. Steve Goldberg also reconfigured a part of Preston Hall to establish the first offices for the Center for Environmental Legal Studies. Before that, we had accomplished the work of a center in a "virtual" reality, working out faculty offices scattered across the law school campus.

On the 10th anniversary of the founding of the Center for Environmental Legal Studies, in 1993, Jeff Miller presided over a celebration in Preston Hall commemorating the event. The Philpsburg String Quartet in which Shelley played violin and I played viola, accompanied the festive reception. Reflecting on our first decade at that time,[3] I wrote that we had shaped an approach to learning environmental law "*theory as practice*." After ten years, the Center had woven together its substantive and doctrinal environmental law teaching into its skills and methods instruction together with its law reform research. We aimed not to segment doctrine apart from skills, but integrate them in classes, co-curricular activities and scholarly studies and publication and in the analysis and briefings for the clinical public interest practice. These dimensions of the environmental law program seek to be holistic, mutually re-enforcing and complementary, not competitive.

The Second Decade: A Maturing Scholarly Program

Awareness of this holistic approach to studying law and the environment informed Pace's approach as its second decade of environmental legal education progressed. The merger of theory and law reform and practice is seen in the accomplishments of the Center for Environmental Legal Studies' nationally and internationally recognized "Pace Energy Project," brilliantly led by Prof. Richard Ottinger. The Center's first book, the Environmental Costs of Electricity (1991), helped

[3] See Nicholas A. Robinson, "Pioneering Legal Education in Environmental Law," in TIMELY NOTICE (the Pace University School of Law's Decennial Issue, 1976-1986), at p 6 (1986); and Nicholas A. Robinson, "After A Decade: 'Theory as Practice' at the Center for Environmental Legal Studies, 11 *Pace Envir'l L. Rev.* 3 (1993).

to revolutionize the law regarding environmental externalities and usher in a movement for demand side management in public regulatory commissions. J.D. students joined LL.M. candidates to work on the book, and ever since students have been closely engaged in the research of the Pace Energy Project. Through Dick Ottinger's diligence and hard work, with help from the Project's fund-raising consultant, MaryLu Lutters, and successive program directors including David Wooley, Ed Smeloff, and Fred Zalcman, the Energy Project has brought in grants of about $300,000/year to Pace for some 15 years. Pace's LL.M. graduates working on the Energy Project have included David Hodas, who went on to become a Professor of Law at Widener Law, and Karl Rabago, who became a Professor of Law at Houston, and then a Commissioner of the Texas Public Utility Commission and thereafter a leader in Environmental Defense's public interest law practice. Jim May joined Widener as a clinical professor, now teaching Environmental law full time, to start a litigation clinic patterned on our Pace Hudson Riverkeeper Clinic, with Pace alumna Maya Van Russum, who became the Delaware Riverkeeper.

The Center for Environmental Legal Studies has underwritten is research and related studies through fund-raising. By seeking grants, we built up our research projects and underwrote seminars and publications. To manage our growing curricular and co-curricular activities, we recruited our first program director; Prof. David Wooley, joined Pace from the NYS Attorney General's Office. While teaching our Clean Air Act Seminar, David also authored a major treatise on the Clean Air Act while at Pace, in addition to assisting with the launch of the Energy Project. David now heads the Energy Foundation, based in San Francisco. The administrative work of the Energy Project and the core Environmental Law Program were too much for one person to handle, and we divided. A national search brought Ed Smellof to Pace from heading the Sacramento Municipal Utility District in California, to direct the Energy Project; in 1997 he was recruited to return to California to head the San Francisco Public Utility Commission. Directing the Environmental Law Program became the task of Prof. William Slye, who came to Pace from his post as Associate General Counsel of Texaco. Bill Slye was essential to enhancements in the LL.M. program, coordinating the course offerings, and building the co-curricular activities for the J.D. program. When he chose to step down, Dean Richard L. Ottinger, who succeeded Steve Goldberg after a short acting deanship by Prof. Barbara Black, appointed Pace's LL.M. graduate and S.J.D. candidate Robert J. Goldstein as the Director of the Environmental Law Program.

When Dick Ottinger left the Energy Project for a time to become Dean of the School of Law, the environmental law programs developed broadly. As the University moved programs off campus, a former dormitory and faculty offices building became available. The Environmental Litigation Clinic was moved into the first floor, and the Energy Project into the second floor. Pace invited the Federated Conservationists of Westchester County to maintain an office in the building, which became known as the "E House," for both energy and environment. Under Dan Ottinger's administration, I worked with Robert Goldstein to enrich the degree opportunities at Pace by establishment of the joint degree program with Yale University's School of Forestry and Environmental Management, where Robert had secured his Masters of Environmental Management degree. Pace students began to enroll in the Yale MEM degree program, both Prof. John Nolon and I began teaching courses for Yale students at Yale, and Yale students were

admitted to Pace's J.D. program, coming to White Plains. Robert Goldstein also helped the Center launch its international programs in Brazil, and inaugurated the journal of the environmental law program, "Environmentally Friendly," now *Greenlaw*. Significant work with the Pace Law Library was undertaken to establish a "Virtual Environmental Law Library" on the Internet; the Law Library continues this work, but revolutions in information technology require most staff attention to this effort that resources have come to permit.

In 1994, Prof. Nancy Long chose to move upstate and start a family, and Pace recruited Prof. Ann Powers to join the Faculty. Ann had been General Counsel of the Chesapeake Bay Foundation, after distinguished service in the U.S. Department of Justice in Washington, D.C. In addition to knowing environmental law and litigation, Ann brought an expertise in coastal and marine law to enrich the faculty's environmental law capacity. Like Jeff Miller, she was a member of the Board of the Environmental Law Institute. A major accomplish of Prof. Powers was to design and establish a Summer Externship in federal government agencies, and in select public interest organizations, for Pace J.D. students in Washington, D.C. When Steve Solow left the Justice Department for a law firm position in Washington, Ann Powers recruited Steve back to Pace as an Adjunct Professor, to supervise the academic seminar for the summer externship program. This program has produces a wonderful array of graduates with experience throughout federal agencies in the nation's capital; as our students perform well, Pace Law School basks in the reflected glory of their success.

One of the advantages of engaging a highly qualified individual like Robert Goldstein to direct the environmental law program, was having him in residence as a candidate for the Doctorate of Juridical Studies (S.J.D.). Establishing the S.J.D. program had been a further, important development in the architecture of Pace's environmental legal studies. Building on the LL.M., I had proceeded to prepare the proposal to have Pace join the then 20 other major universities that offered the research degree in law, equivalent to the Ph.D. in other fields. To support our S.J.D. scholarship, and enhance our J.D. program, Pace was honored in 1995 to recruit David Sive to join its faculty full-time or a period of five years, by arrangement with his firm Sive, Paget and Riesel where he was its senior and founding partner. David Sive was thesis advisor for Robert Goldstein's S.J.D., and mentored many J.D. and LL.M. candidates.

Also at this time, Pace inaugurated its Lloyd Garrison Lecture on Environmental Law, to be delivered around Earth Day each April, and honoring Lloyd Garrison for his life-time of service to the law and legal education, including his service as lead counsel in the Hudson River "Storm King" case. Lloyd Garrison's grandson, John Garrison, was a J.D. candidate at Pace, and became the Law School's first Fulbright Fellow, spending his year after graduation at the Mexican Center for Environmental Law in Mexico City; he is now a senior official with the U.S. Agency for International Development. The Garrison family attended the launch of the Garrison lecture. Having David Sive, widely hailed as the "Father of Environmental law" in the USA, on the faculty, together with Pace's solid record of publication by LL.M. and J.D. graduates in ***PELR*** and other journals, the fact that four Pace LL.M. grads had gone on to become law professors, all combined to establish the credible foundation at Pace for seeking approval by the University and State of New York and the American Bar Association for this degree.

Prof Joseph Sax, from the University of California at Berkeley (Boalt Hall) had served as our consultant for the S.J.D. degree, and his report found that Pace was indeed ready to confer the degree and sustain the excellence of the research degree in law. Today, Pace is the only major national environmental legal education program to offer the S.J.D. The graduates are distinguished. Prof. Nada Al-Duaij teaches international environmental law at Kuwait University, her thesis published as the Environmental law of Armed Conflict (2004). Prof. Marco Olson is currently Provost of Belize University, following a position as professor and dean of a law school in Brazil; his thesis published as Analysis of the Stockholm Convention on Persistent Organic Pollutants (2003). Robert Goldstein's thesis is an acclaimed book, Ecology and Environmental Ethics: Green Wood in the Bundle of Sticks (2004), and he is now a professor of law at the West Point Military Academy, and General Counsel to the Hudson Riverkeeper. Prof. Byung-chun So is a professor of environmental law at Ajou University in Korea. Our most recent S.J.D, graduating in May of 2007, Prof. Deepa Badrinarayana, was named assistant professor of law at Chapman University School of Law in California. The S.J. D. program is attracting interest across the USA and around the world.

With the year 1992, the United Nations convened the Earth Summit in Rio de Janeiro. I had been engaged in the preparatory work for the Earth Summit, with the International Union for the Conservation of Nature and Natural; Resources (IUCN). The Pace Center for Environmental Legal Studies held seminars before and after the Earth Summit, involving diplomats with our students and faculty. Through the Center, I assembled the papers for the Earth Summit, and through the Center I edited and published the 6 volumes of Agenda 21 and the UNCED Proceedings on behalf of IUCN. In 1986, the Pace Center for Environmental Legal Studies was admitted to membership in IUCN as a university member (see www.iucn.org), and Pace students and faculty participated in the IUCN World Conservation Congresses in Montreal and Bangkok. Since 1948, IUCN has grown to be the oldest and largest intergovernmental environmental organization in the world. IUCN has an active environmental law program, in which Pace has taken a leadership position over the years. As the first American to be elected chair of the IUCN Commission on Environmental Law (1996-2004), I had the opportunity to build many cooperative relationships between Pace and environmental law scholars and officials around the world.

Beyond involving Pace in the United Nations Rio Earth Summit, and IUCN, Jeff Miller and I undertook to organize the first of Pace's international conferences in Brazil, which laid the foundation for the Pace's Brazil comparative environmental law studies in Brazil. Pace University's Prof. Jordan Young had engaged in research and teaching in Brazil since the 1960s, and I worked with Jordan to introduce the Law School to cooperative programs in Brazil, which are now headed by Prof. David Cassuto. With Prof. Jose Tavares, and thereafter with Pace LL.M. Eli Medeiros and Pace S.J.D. Marco Olson, and subsequently with Pace LL.M. Arlindo Daibert, Pace has conducted a series of annual conference and seminars throughout Brazil for 15 years. The Environmental Law Program is dedicating an issue of *Green Law* this year to recall Pace Law School's deep involvement in American-Brazilian environmental Legal Studies. Numerous publications, and now a regular course on Comparative Brazilian Environmental Law, with an annual field trip in Brazil, have become hallmarks of the Pace's environmental legal education involving Brazil.

In 1997, with the leadership of Prof. David Sive, Pace was honored by the US Court of Appeals for the Second Circuit to install the exhibit "Environmental Law in the Second Circuit," a set of photographs and texts from the national environmental precedent cases decided by the 2nd Circuit. On February 4, 1997, Hon. Jose Cabranes, Hon. James Oaks, and Hon Charles Brieant, installed the Exhibit on the 4th Floor of Preston Hall. This exhibit will be re-established in the ground floor of Aloysia Hall in 2008. It was relocated to make room for the new facilities of the John Jay Legal; Services Clinic.

Perhaps the key decision from the Second Circuit is Scenic Hudson Preservation Conference v. Federal Power Commission,[4] which secured preservation of Storm King Mountain. The mountain had been chosen by Consolidated Edison Company as the site for new electrical generating facility. Pace University School of Law taught the "Storm King" case each year. In recognition of the growing importance of environmental litigation nationally, and the birth of modern environmental cases in the Second Circuit, Pace Law School's student Moot Court Board proposed that Pace launch, in 1989, a national environmental moot court appellate litigation competition. Prof. Jeffery Miller and I commissioned the contemporary Hudson Valley painter John Hulsey to paint Storm King Mountain. His original painting is now the first prize in Pace's national Environmental law Moot Court Competition, and prints of the painting adorn law schools that have won the competition across the USA. For 15 years Jeff Miller crafted some of most devilishly complicated appellate cases every argued. ***PELR*** published the winning briefs and the bench brief prepared by the Pace Environmental Moot Court Board. Many alumni grade the briefs and serve annually as judges when over 75 law schools assemble at Pace each February for the competition. Prof. Ann Powers now organizes an annual workshop for the law professors, who come to White Plains accompanying their teams; last year James Milkey, once a Visiting Professor at Pace and the lead counsel in *Massachusetts v. EPA*,[5] spoke to the Professors. Pace's Environmental Moot Court is a national favorite among law schools nationally, and has stimulated other law schools to emulate Pace, such as Stetson with its fine International Environmental Moot.

Art also was not far from Pace's Hudson Riverkeeper Clinic. Prof. Robert Kennedy led the establishment of a museum of the environmental history of the Hudson River in the "E House," housing the Clinic on its first floor. An aquarium of the ecology of the Hudson in the foyer, and a time-line of the River plus murals of the Hudson adorn the building. A magnificent set of photographs of the Hudson Highlands was mounted in the 25th anniversary of the law school in the E House and in the new Class room building, which had been build through the leadership of Dean Richard Ottinger. The Hudson Riverkeeper became the model for an international and nation-wide movement to create comparable clinics and place-based citizen environmental advocacy movement. Bobby Kenney launched the Waterkeeper Alliance, and from the E House has replicated the Pace's clinic and Riverkeeper model in a brilliant demonstration of civic and public interest activism. Pace alumni staff many of these undertakings.

Under Dean S. David Cohen, Pace celebrated its 25th anniversary, and Robert Goldstein assembled all the Garrison Lecturers for a symposium on the state of

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[4] 354 F. 2d 611 (2d Cir,, 1966).

[5] 549 U.S. __ (2007) holding that EPA must regulate carbon dioxide as a green house gas under the Clean Air Act, and recognizing that global warming is a current phenomenon and not just a theory.

environmental law in the challenging times of a Congress and President little interested in advancing the field. The luminaries of environmental law gathered at Pace for the event: Oliver Houck, David Sive, Gerald Torres William Rodgers, Richard J. Lazarus, A. Dan Tarlock, and Zygmunt J.B. Plater. Just before Dean Cohen joined Pace, Dean Ottinger, with the assistance of Associate Dean Michael Mushlin and Prof. Eric Schmertz, Pace's Scholar in Residence, had successfully conferred with Gilbert Kerlin about his interest in endowing a professorship in environmental law. In 1999, I was honored to be invested as the first Gilbert & Sarah Kerlin Distinguished Professor of Environmental Law. In honor of the Gil and Sally Kerlin, Pace also inaugurated the annual Kerlin Lecture in Environmental Law to be delivered each fall semester. In 2007, a Pace alum will deliver the lecture for the first time, Hon. John Cahill, former Secretary to the Governor of New York and Commissioner of Environmental Conservation. While Commissioner, John honored Pace by attending my investiture as the first Kerlin professor.

One of the hallmarks of the second decade was recruiting Prof. John Nolon to teach property law after Don Stever left for practice. John Nolon had taught as an adjunct in the environmental law program, and Don and I recruited John to succeed Don. John has contributed greatly to Pace's programs in property, land and resources use. John went on to establish the Pace Land Use Law Center, with its unique J.D. student-centered programs working with local governments on innovative land use strategies. John and the alumni and students in the Land Use Center developed a series of books, published by the Environmental Law Institute, on the sustainable uses of land. I helped John with his appointment as a Fulbright Professor to study comparative environmental law at the Foundation for Environment and Natural Resources (FARN) in Buenos Aires, and he has built international dimensions into his Center.

As Pace's second decade of environmental development merged seamlessly into its the start of the third decade. Unlike the 10th anniversary, no event marked the occasion. When Robert Goldstein stepped down, Jeff Miller, Ann Powers and I recruited Lee Paddock to join us from Minnesota, where he had been in charge of public policy in the Attorney General's Office under Hubert Humphrey III. Lee brought a wealth of experience nationally and in the Mid-west, to provide further depth to Pace's program. He greatly extended the national reach of our J.D. recruitment, and brought to the Center projects with the National Institute of Public Administration. But the highlight of Lee's term was his administrative support the growing internationalization of the Pace environmental law programs.

The Third Decade: Embracing International Mandates

Through my work with IUCN, I engaged Pace students and faculty in expanding their international work beyond the well-developed programs with Brazil. All of the Pace Environmental Law faculty understood that environmental law had become a global phenomena in the years since the 1972 Stockholm, Conference and the 1992 Rio Conference, Our Pace law students would need to practice in a world of transnational environmental issues, such as those associated with climate change, emissions tradition and green house gas mitigation, loss of biodiversity, and the issues of legal practice related to such phenomena. When Lee Paddock succeeded Robert Goldstein, Robert was

already building international projects into Pace's programs, and Lee continued those initiatives. I worked with him to build our participation in IUCN. As chair the IUCN Commission on Environmental Law (CEL), I had established a series of specialist expert groups. Dick Ottinger heads the Energy and Climate Change CEL specialist group, and Lee Paddock heads the Compliance and Enforcement CEL specialist group. Prof. Ann Powers is a member of the Ocean Law specialist group.

Beginning in 2003, growing out of my work in CEL, and with the support of our Pace Center for Environmental Legal Studies, I launched the IUCN Academy of Environmental Law, to build the capacity to teach and research environmental law in law schools all around the world. The Academy's first annual conference was on the theme of "Energy for Sustainable Development," at Shanghai Jiao Tong University, which coordinated with The Pace Energy Project. Pace's collaboration with Shanghai Jiao Tong University dates from this event. The Academy builds such partnerships, and today the Academy is a network of over 60 universities around the world. The Academy built on academic projects that I undertook for the Asian Development Bank, which helped 70 professors in 15 Asian nations, develop their curriculum and capacity for teaching environmental law in law schools (1997-98). From that work, I co-edited and published two volumes entitled Capacity Building For Environmental law in the Asian and Pacific Region (2002). The Academy continues to work extensively with Universities in Asia. After organizing the first annual Colloquia for the Academy, in China in 2003, I involved Prof. John Nolon in the second conference, in "Land Use for Sustainable Development," at the University of Nairobi in Kenya in 2004, and involved Prof. Ann Powers and her marine law expertise in the 3rd conference on "Biodiversity & Sustainable Development," at Macquarie University in Australia in 2005. Prof. Lee Paddock and I organized the 4th IUCN Colloquium, on "Compliance and Enforcement of Environmental Law," at Pace University with over 250 professors and experts attending from around the world. The books of these Colloquia are published by the Cambridge University Press.

Other international work grew. Assistant Dean for International Legal Studies, Prof. Marc Shulman, increase recruitment of post-graduate LL.M. and S.J.D. candidates, Prof. M.K. Ramesh, from the National Law School of India University, and Prof. Nguyen Phuc Thuy Hien from Viet Nam's Ho Chi Minh College of Law, and Prof. Cao Ming-de, from Southwest University in China, all came to Pace as a visiting scholars for a year. Such exchanges are continuing, with Norway's leading environmental law professor visiting in the fall of 2007. In addition, Lee Paddock and I worked closely with Pace students to edit the new United Nations Environment Programme's Training Manual on International Environmental Law (N.A. Robinson and L. Kurukulasuriya, eds., 2006).

While attending to international program development, the faculty burnish all the core elements in Pace's environmental law program, and aim to build high quality and capacity in each. In 2001, the Law Library established the David Sive Litigation Archive, with the original papers from David Sive's pioneering practice in environmental law. Accessible to scholars, this inaugurates our efforts to build a unique reference collection for scholars in Pace's Law Library.

At the end of Lee Paddock's tenure, in 2007 Pace recruited Alexandra D. Dunn to become Assistant Dean for the Environmental Law Program. Alex comes from service as General Counsel to the U.S. National Association of Clean Water Agencies in Washington, D.C. and serves as an officer of the Section on Energy, Environment and

Natural Resources of the American Bar Association. Alex was a judge in Pace's National Environmental Law Moot Court Competition in 2005 and 2007, and is excited to join Pace full-time. As she begins her work at Pace, she is continuing the international focus, working with the faculty to reposition much of a environmental law program to address issues of the law and climate change, She is continuing our work with IUCN, arranging to send a faculty-student delegation to the World Conservation Congress in Barcelona in October, 2008, and to the 6th Colloquium of the Academy in Mexico City in November 2008.

Working with the International Council of Environmental Law, based in Europe, Pace established the Elizabeth Haub Award in Environmental Diplomacy, The Award, first given in 1999, recognized distinguished accomplishment by diplomats in negotiating new international environmental law agreements and treaties and programs. To complement this Award, I began a study of environmental diplomacy and designed a course on environmental diplomacy. We have now given the corpus for four years, jointly with Yale University, placing law students as Attachés in Missions at the United Nations in New York City. This experiential course is akin to a clinic, but the world of international law negotiations has its own logic, and the design of this "practicum" in environmental diplomacy is being refined. Pace is still integrating environmental law doctrine and practice innovative ways. Designing Pace's environmental diplomacy course has been made possible through generous gifts by a friend of the Pace Environmental Law Program, Erivan Haub, the son of the distinguished German conservationist Elizabeth Haub, in whose memory Pace's Award in Environmental Diplomacy has been established.

Major further international programs now being designed to include exchanges with law schools in China, and a proposal for establish a major comparative law program, parallel to the comparative law program in Brazil. Dick Ottinger has negotiated agreement with Shanghai Jiao Tong University. Independently, the Pace environmental law faculty is currently engaged in curricular analysis and reform, to propose a revision to the curriculum to feature the law of climate change as a key component of the environmental law programs. Suffice it to say that Pace's international environmental law studies, and its efforts to advance the progressive development of international environmental law, will engage J.D., LL.M. and S.J.D. students, with faculty and experts. There is an international umbrella for all the environmental law programs, whether in the Center, the Clinic, and classroom, or the law review.

The Fourth Decade?

Pace in 2007 marks another decade in its inter-generational succession. New and younger faculty will be recruited in the environmental law program. Many of Pace's alumni hold now senior positions in environmental law practices, and for the first time are in a position to help mentor and support the Pace faculty and students as we build the fourth decade of our environmental law programs.

Climate change brings to environmental law the greatest challenges our field has ever faced. For instance, China's levels of pollution, or consumption of natural resources in the U.S.A. are at destabilizing levels, affecting the entire world. We need to engage

collaboratively to work with China to strengthen its environmental laws, and to establish demand side management regimes in the U.S.A. for more efficient use of resources. Near Pace, on Long Island Sound and on the Hudson River, as sea levels rise local communities need to preparing revised coastal zone maps and new coastal zone management programs, revised Water Quality Standards and new NPDES permits for discharge pipes that will be are relocated, and new efforts to save and restore and expand wetlands. In all jurisdictions, climate change necessitates amendments to existing laws.

The scope of how we shall be affected by climate disruption is ably explained by the Intergovernmental Panel on Climate Change (www.ipcc.ch). The IPCC explains the range of characteristic new conditions that are emerging, such as rising sea levels, coastal erosion, expansion of exposure to insect borne diseases, decreased rainfall and drought in many interior regions, loss of water from areas that rely on melting snows and glaciers, and intense local storms and flooding conditions. These effects will alter patterns of food production and distribution, disrupt infrastructure, cause migration of dislocated peoples, disrupt the habitats and migration of species, and remake land forms. Currently, scientific studies have established that polar ice is melting, and frozen tundra beginning to melt, and in their wake new sea lanes emerge at the North Pole. As sea levels rise, islands are losing their land mass. Once clear, historic borders and settled land use patterns are changing; measurements of boarders, such as those of exclusive marine economic zones may become confused, and indeed the very definition of state sovereignty may be challenged. New opportunities for redesigning human settlement and land development will emerge. Legal relations once taken for granted, or assumed to be stable, will be altered in the wake of the physical effects of climate change.

Humans are changing the Earth. Society must revisit environmental ethics to guide how we may cope with these changes. The changes worry governments all around the world. The United Nations World Summit for Sustainable Development acknowledged as much in 2002, when it adopted the Johannesburg Plan of Implementation,[6] recognizing that States cannot meet the challenges of sustainable development without conscious recourse to fundamental human values. *"We acknowledge the importance of ethics for sustainable development and, therefore, emphasize the need top consider ethics in the implementation of Agenda 21."*

On the wall outside the Pace Center for Environmental Legal Studies in Preston Hall students and faculty pass by the words of the UN World Charter for Nature.[7] The UN General Assembly adopted this fundamental statement of the applicable ethical norms 25 years ago, with only the USA voting against the Resolution. The World Charter for Nature sets forth an integrated framework of values and norms and practical, functional means to ensure that the values are realized, and concrete measures to implement those functions. In its brevity and concise exposition, the General Assembly's World Charter for Nature offers us a clear path toward while we struggle to cope with the effects of climate change.

Unfortunately, much of what is recommend in the World Charter for Nature is not yet binding in environmental law. It needs to be. Pace needs to unite the doctrine of the Charter with the practice of environmental law, in the USA and abroad. The World Charter for Nature provides that "in the decision-making process it shall be recognized

[6] A/CONF. 199/L-6 rev 2 of 4 September 2002.
[7] Res. 37/7, A/37/51 of 28 October 1982.

that man's needs can be met only by ensuring the proper functioning of natural systems and by respecting the principles" set forth in the World Charter for Nature. These words carry with even greater intensity today then when they were adopted: "Nature shall be respected and its essential processes shall not be impaired"

Environmental law has not prevented the impairment of the hydrologic cycle, the carbon cycle and other of Earth's natural cycles. Clearer ethics norms should guide our practice of adaptive and restorative law. This content will be reflected in our law school classes and in every legal practice. Pace's environmental law graduates are better equipped than others for this coming sea change. Nonetheless, as Pace begins the fourth decade of environmental legal education, the question hangs in the air:

Do not all of us - alumni, students, faculty and administrators alike - need to embrace the mandates of the World Charter for Nature? How?