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		China, and the USA', Journal of Environmental Law, 23 (3),		
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	3.	David Vogel (1986), 'Government Regulation in Great Britain and the United States', in <i>National Styles of Regulation: Environmental Policy in Great Britain and the United States</i> , Chapter 5, Ithaca, NY		
	4.	and London, UK: Cornell University Press, 193–225, 308–309 Neil Carter and Philip Lowe (1994), 'Environmental Politics and	55	
	4.	Administrative Reform', <i>Political Quarterly</i> , 65 (3), July, 263–74	90	
	5.	Neil Gunningham (2009), 'Environment Law, Regulation and	70	
	5.	Governance: Shifting Architectures', Journal of Environmental		
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		Research Handbook on International Environmental Law, Chapter		
		12, Cheltenham, UK and Northampton, MA: Edward Elgar		
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	0.	'Understanding Environmental Models in Their Legal and		
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	9.	Jane Holder (2004), 'Tracking Environmental Assessment', in Environmental Assessment: The Regulation of Decision Making, Chapter 2, Oxford, UK: Oxford University Press, 32–74, references	204
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	16.	Journal of Environmental Law, 23 (2), July, 169–201 Michael G. Faure and Katarina Svatikova (2012), 'Criminal or Administrative Law to Protect the Environment? Evidence from Western Europe', Journal of Environmental Law, 24 (2), July,	376
	17.	253–86 Benjamin J. Richardson (2009), 'Climate Finance and its Governance: Moving to a Low Carbon Economy Through Socially Responsible Financing?', <i>International and Comparative Law</i> Quarterly, 58 (3), July, 597–626	409
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	21.22.23.	William Howarth (2009), 'Aspirations and Realities under the Water Framework Directive: Proceduralisation, Participation and Practicalities', <i>Journal of Environmental Law</i> , 21 (3), 391–417 Joanne Scott (2009), 'REACH: Combining Harmonization and Dynamism in the Regulation of Chemicals', in <i>Environmental Protection: European Law and Governance</i> , Chapter 3, Oxford, UK: Oxford University Press, 56–91 Jill Wakefield (2012), 'Common Fisheries Policy Reform and Sustainability', <i>European Policy Analysis</i> , June, 1–12	543 570 606
PART V	REC 24.	Jan Hancock (2003), 'The Human Right to Natural Resources', in Environmental Human Rights: Power, Ethics and Law, Chapter 6, Aldershot, UK and Burlington, VT: Ashgate Publishing Limited, 137–56, references Ole W. Pedersen (2010), 'Environmental Principles and	621
	20.	Environmental Justice', Environmental Law Review, 12 (1), 26–49	645
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	27.	Regulating Nanotechnologies, Chapter 4, Cheltenham, UK and Northampton, MA: Edward Elgar Publishing Ltd, 60–80 Colin Scott (2007), 'Rethinking Regulatory Governance for the Age of Biotechnology', in Han Somsen (ed.), The Regulatory Challenge of Biotechnology: Human Genetics, Food and Patents, Chapter 2, Cheltenham, UK and Northampton, MA: Edward Elgar Publishing	671
	28.	Ltd, 19–35 Maria Lee (2008), 'GMOs in the EU: The Scope of the Debate', in EU Regulation of GMOs: Law and Decision Making for a New Technology, Chapter 2, Cheltenham, UK and Northampton, MA:	692
		Edward Elgar Publishing Ltd, 19–60	709
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	30.	Publishing Ltd, 354–78 Jingchen Zhao (2012), 'The Harmonious Society, Corporate Social Responsibility and Legal Responses to Ethical Norms in Chinese Company Law', <i>Journal of Corporate Law Studies</i> , 12 (1), April, 163–200	753 778

	31.	V.K. Agarwal (2005), 'Environmental Laws in India: Challenges for Enforcement', <i>Bulletin of the National Institute of Ecology</i> , 15 ,	
	2.2	227–38	816
	32.	J	
		Responsibilities: India's Approach', Jindal Journal of	
		International Affairs, 1 (1), October, 182–203	828
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	33.	Elizabeth Fisher, Bettina Lange, Eloise Scotford and Cinnamon	
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	34.	Julia Black (2012), 'Paradoxes and Failures: "New Governance"	
		Techniques and the Financial Crisis', Modern Law Review, 75 (6),	
		November, 1037–63	891