

Contents

<i>Acknowledgements</i>	vii
<i>Series Preface</i>	ix
<i>Introduction</i>	xi

PART I MARKET-BASED INSTRUMENTS

- | | |
|---|---|
| 1 James Salzman and J.B. Ruhl (2000), 'Currencies and the Commodification of Environmental Law', <i>Stanford Law Review</i> , 53 , pp. 607–94. | 3 |
|---|---|

PART II FREE MARKET ENVIRONMENTALISM

- | | |
|--|-----|
| 2 Terry L. Anderson and Donald R. Leal (1992), 'Free Market Versus Political Environmentalism', <i>Harvard Journal of Law & Public Policy</i> , 15 , pp. 297–310. | 93 |
| 3 Alison Rieser (1999), 'Prescriptions for the Commons: Environmental Scholarship and the Fishing Quotas Debate', <i>Harvard Environmental Law Review</i> , 23 , pp. 393–421. | 107 |

PART III CONTRACTUAL APPROACHES

- | | |
|---|-----|
| 4 David A. Dana (2000), 'The New "Contractarian" Paradigm in Environmental Regulation', <i>University of Illinois Law Review</i> , pp. 35–59. | 139 |
|---|-----|

PART IV LIABILITY APPROACHES

- | | |
|--|-----|
| 5 Peter S. Menell (1991), 'The Limitations of Legal Institutions for Addressing Environmental Risks', <i>Journal of Economic Perspectives</i> , 5 , pp. 93–113. | 167 |
|--|-----|

PART V INFORMATION DISCLOSURE

- | | |
|---|-----|
| 6 Bradley C. Karkkainen (2001), 'Information as Environmental Regulation: TRI and Performance Benchmarking, Precursor to a New Paradigm?', <i>Georgetown Law Journal</i> , 89 , pp. 257–370. | 191 |
| 7 Peter S. Menell (1995), 'Structuring a Market-Oriented Federal Eco-Information Policy', <i>Maryland Law Review</i> , 54 , pp. 1435–74. | 305 |

**PART VI INDUSTRY- AND COMMUNITY-BASED GOVERNANCE
INSTITUTIONS**

- 8 Eric W. Orts (1995), 'Reflexive Environmental Law', *Northwestern University Law Review*, **89**, pp. 1227–340.

347

PART VII ANALYSIS OF INSTITUTIONAL AND INSTRUMENT CHOICE

- 9 Neil Gunningham and Darren Sinclair (1999), 'Regulatory Pluralism: Designing Policy Mixes for Environmental Protection', *Law & Policy*, **21**, pp. 49–76.
10 Nathaniel O. Keohane, Richard L. Revesz and Robert N. Stavins (1998), 'The Choice of Regulatory Instruments in Environmental Policy', *Harvard Environmental Law Review*, **22**, pp. 313–67.

463

491

Name Index

547