

# CONTENTS

*Acknowledgments* ix

INTRODUCTION 1

## **Part I: Making Environmental Law 9**

1 TIME, SPACE, AND ECOLOGICAL INJURY 13

2 THE IMPLICATIONS OF ECOLOGICAL INJURY  
FOR ENVIRONMENTAL PROTECTION LAW 25

3 THE CHALLENGES FOR US LAWMAKING  
INSTITUTIONS AND PROCESSES OF  
ENVIRONMENTAL PROTECTION LAW 39

## **Part II: The Road First Taken—The Twentieth Century 55**

4 BECOMING ENVIRONMENTAL LAW 59

5 BUILDING A ROAD: THE 1970S 81

6 EXPANDING THE ROAD: THE 1980S 115

7 MAINTAINING THE ROAD: THE 1990S 145

## **Part III: A Road Disrupted—The Twenty-First Century 193**

8 THE SUPER WICKED PROBLEM  
OF CLIMATE CHANGE 197

9 THE GEORGE W. BUSH ADMINISTRATION:  
REDRAWING THE BATTLE LINES 217

10 THE OBAMA ADMINISTRATION:  
GETTING TO PARIS 237

11 THE TRUMP ADMINISTRATION:  
SWINGING THE MEAT AX 263

**Part IV: Looking Back and Going Forward 289**

12 CONVERGENCE AND BUILDING BLOCKS  
WITHIN ENVIRONMENTAL LAW 295

13 THE NEXT FIFTY YEARS 345

*Notes* 353

*Index* 421