SPEN ELECTIVE SERIES

Climate Change Law and Policy

HARI M. OSOFSKY LESLEY K. McALLISTER



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To our children—Erin, Nathan, Oz, and Scarlet—and our students. We write this book in the hope that the next generation finds creative ways to make progress in addressing climate change.

PREFACE

Climate change law and policy is currently taught in a variety of ways. Many law schools have two- or three-credit seminars on the subject, but climate change also is taught as a topic within international, comparative, and environmental law courses. In addition, other graduate and undergraduate programs such as environmental studies and political science offer courses on the subject.

In recognition of both the ever-changing legal landscape addressing climate change and the diversity of courses addressing the topic, *Climate Change Law and Policy* provides a succinct, modular text paired with a continuously updated Web site. The book and its accompanying Web site (http://aspenlawschool.com/books/osofsky_climate) create a flexible platform for exploring the issue of climate change and the role of law in addressing it, enabling instructors to expand where desired and have access to the most up-to-date information.

Because of its modular quality, the book can be used either as a primary text or as a supplemental text. Instructors can choose to purchase the whole book or particular chapters of interest. Each chapter provides a self-contained treatment of a key topic that can be taught on its own or in conjunction with other topics. The accompanying teacher's manual provides teaching suggestions and exercises to accompany each chapter.

The book intentionally pares down the material to its core, but the accompanying Web site provides links to additional primary documents and scholarship to allow for more in-depth exploration. Together, the book and Web site provide the timely material on a wide variety of issues to allow the instructor to focus on areas of particular interest without the bulk and expense of a traditional casebook. In our view, this approach to providing course materials fits the problem of climate change more effectively than a traditional casebook.

We would like to acknowledge and thank several people who have made invaluable contributions to this project. This book has had a long evolution to its present form, and five people have been particularly critical to its development. Hiram Chodosh helped to inspire this book, and served as a generous mentor to emerging international law scholars in so doing. Wil Burns, who

originally planned to serve as a third co-author, helped frame the book and provided important insights into the subject and material. Carol McGeehan, the publisher at Aspen Publishers, nurtured this project from the beginning and became a wonderful mentor and friend over the course of the project. John Devins, our editor at Aspen Publishers who has also become a good friend, has done an excellent job of patiently working with us to improve the book; we have greatly appreciated his input and responsiveness. Finally, the book benefitted significantly from Lisa Connery's assistance in overseeing its production; she worked hard to perfect the book while keeping true to our vision.

Both of us have greatly appreciated the support of our law schools as we have worked on this project. In particular, Meghan Schwartz of the University of Minnesota and Arlene Penticoff of the University of San Diego spent many valuable hours working to shepherd the book through the copyright clearance process. Drew McNeill and Lynn Parins provided very good bluebooking assistance and helped develop the index. Early-adopters Jeffrey Atik of Loyola Law School and Maxine Burkett of University of Hawai'i School of Law, students in courses at our law schools, and anonymous reviewers contributed insightful feedback that improved the book greatly.

Last, but certainly not least, our families have provided endless love, support, and patience. We thank our spouses and children—Joshua, Oz, and Scarlet Gitelson; and Andrew, Erin, and Nathan McAllister—for reminding us of the future generations whose welfare depends upon our success in dealing with the problem of climate change.

Hari Osofsky Lesley McAllister August 2012

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