

Private Rights In Public Resources Equity And Property Allocation In Market Based Environmental Policy

Privatizing public resources by creating stronger property rights, including so-called rights to pollute, is an increasingly popular environmental policy option. While advocates of this type of market-based environmental policy tend to focus on its efficiency and ecological implications, such policies also raise important considerations of equity and distributive justice. *Private Rights in Public Resources* confronts these ethical implications directly, balancing political theory and philosophy with detailed analysis of the politics surrounding three important policy instruments--the Kyoto Protocol, the 1990 Clean Air Act Amendments, and the 1934 Taylor Grazing Act. Author Leigh Raymond reviews legislative records and administrative documents and interviews key policymakers. Confirming that much of the debate in the selected policies centers on the equity or fairness of the initial allocation of property rights, he applies the theories of John Locke, Morris Cohen, and others to build a framework for identifying the competing norms of equity in play. Raymond's study reveals that, despite the different historical and ecological settings, the political actors struggled to reconcile similar arguments--and were often able to achieve a similar synthesis of conflicting ownership ideas. Rather than offering a familiar argument for or against these policies on ethical grounds, the book explains how ideas about equity help determine a policy's political fate. Shedding light on the complex equity principles used to shape and evaluate these controversial initiatives, this empirical analysis will be of interest to those on all sides of the debate over market-based policies, as well as those interested in the role of normative principles in politics more generally.

Winner of the SLS Peter Birks Prize for Outstanding Legal Scholarship 2009. The use of private property rights to regulate natural resources is a controversial topic because it touches upon two critical issues: the allocation of wealth in society and the conservation and management of limited resources. This book explores the extension of private property rights and market mechanisms to natural resources in international areas from a legal perspective. It uses marine fisheries to illustrate the issues that can arise in the design of regulatory regimes for natural resources. If property rights are used to regulate natural resources then it is essential that we understand how the law and values embedded within legal systems shape the development and operation of property rights in practice. The author constructs a version of property that articulates both the private and public function of property. This restores some much needed balance to property discourse. He also assesses the impact of international law on the use of property rights--a much neglected topic--and shows how different legal and socio-political values that inhere in different legal regimes fundamentally shape the

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construction of property rights. Despite the many claimed benefits to be had from the use of private property rights-based management systems, the author warns against an uncritical acceptance of this approach and, in particular, questions whether private property rights are the most suitable and effective arrangement of regulating of natural resources. He suggests that much more complex forms of holding, such as stewardship, may be required to meet physical, legal and moral imperatives associated with natural resources.

How the Regional Greenhouse Gas Initiative created a new paradigm in climate policy by requiring polluters to pay for their emissions for the first time. In 2008, a group of states in the northeast United States launched an emissions trading program, the Regional Greenhouse Gas Initiative (RGGI). With RGGI, these states—Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont—achieved what had been considered politically impossible: they forced polluters to pay the public for their emissions. The states accomplished this by conducting auctions of emissions “allowances”; by 2014, they had raised more than \$2.2 billion in revenues. In this first in-depth examination of RGGI, Leigh Raymond describes this revolutionary and influential policy model and explains the practical and theoretical implications for climate policy. Other cap-and-trade schemes had been criticized for providing private profits rather than public benefits, allowing private firms to make money by buying and selling valuable “rights to pollute.” RGGI, by contrast, directed virtually all emissions auction revenues to programs benefiting the public at large. By reframing the issue in terms of public benefits, environmental advocates emphasized the public ownership of the atmospheric commons and private corporations' responsibility to pay for their use of it. Raymond argues that this kind of “normative reframing” is significant not only for environmental policy making but also for theories of the policy process, helping to explain and predict sudden policy change.

Whether you are a library supervisor with a few employees or an administrator with an entire human resources system, there are specific rights, responsibilities, and regulations that you must conform to. In plain language and with a practical, straightforward approach, Baldwin tells you about employment law relating to personnel recruitment and selection; the employment relationship; collective bargaining; wage and hour laws; employment benefits; discrimination laws; health, safety, and privacy; discipline and discharge; and income replacement. By informing themselves of these basic rights and regulations, librarians and library managers will be better equipped to deal with or avoid altogether some of the potential problems that arise between employers and employees in the public library arena. The book also reviews effective management techniques as a way to avoid potentially serious personnel problems. A glossary of employment terms is included.

The first book to focus on the legal aspects of climate engineering, making recommendations for future laws and governance.

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Building on Knoepfel's previous book, *Public policy analysis*, this book offers a conceptually coherent view of ten public policy resources: force, law, personal, money, property rights, information, organisation, consensus, time and political support. The book demonstrates the interplay of the different resources in a conceptually coherent framework and presents numerous illustrations of ways of mobilising the resources and managing them in a sustainable way, resource exchanges and the role of institutions governing the interrelationships between actors and resources. The book will be valuable to postgraduate students as well as those working in policy programming and implementation across both public and private sectors and in non-governmental organisations.

This topical book examines the regulatory framework for introducing generic Top-Level Domains on the Internet. Drawn up by the Internet Corporation for Assigned Names and Numbers (ICANN), these rules form part of a growing body of transnational private regulation, complementing national and international law. The book elucidates and discusses how ICANN has tackled a diverse set of economic and regulatory issues, including competition, consumer protection, property rights, procedural fairness, and the resolution of disputes.

One of the leading experts on public lands and land rights issues, Robert H. Nelson here brings together a collection of his finest essays. Nelson demonstrates that the 'progressive' goal of achieving scientific management of public lands has not been realized; instead, public land management has been dominated by interest group politics and ideology.

Reproduction of the original: *The Right to Privacy* by Samuel D. Warren, Louis D. Brandeis

This book focuses on liability for damage to those natural resources that are of interest to the public and are protected by national, European or international law. It provides an overview of the law of the United States and of certain EU Member States on the recovery of damages for injury to natural resources. The international civil liability conventions that cover environmental harm and the recently published European Commission's White Paper on environmental liability are also discussed. The on-going development in various international forums of treaties or protocols dealing with liability for environmental damage are analyzed, as are the principles developed by the UNEP Working Group established in response to the 1990 Gulf War to advise the UNCC on claims for damage to natural resources. The book addresses assessment and valuation issues, the issue of standing in cases of injury to (un)owned natural resources, and the determination of ways to repair, restore and compensate for natural resource injuries and the associated loss of ecological and human services. It also explains why such a difference exists between the US and most European jurisdictions and inter-national liability conventions as to the recovery of damages for injury to natural resources.

Regardless of where we live, the management of the public sector impacts on our lives. Hence, we all have an interest, one way or another, in the achievement

of efficiency and productivity improvements in the activities of the public sector. For a government agency that provides a public service, striving for unreasonable benchmark targets for efficiency may lead to a deterioration of service quality, along with an increase in stress and job dissatisfaction for public sector employees. Slack performance targets may lead to gross inefficiency, poor quality of service, and low self-esteem for employees. In the case of regulation, inappropriate policies can lead to unprecedented disasters. Examples include the decimation of fish stocks through mismanagement of fisheries, and power blackouts through inappropriate restrictions on electricity generators and distributors. Efficient taxation policies minimise the tax bill for citizens. In all of these cases, efficient management is required, although it is often unclear how to assess this efficiency. In this volume, several authors consider various aspects and contexts of performance measurement. Hence, this volume represents a unique collection of advances in efficiency assessment for the public sector by leading researchers in the field. Efficiency in the Public Sector is divided into two sections. The first is titled "Issues in Public Sector Efficiency Evaluation" and comprises of chapters 1-4. The second section is titled "Efficiency Analysis in the Public Sector - Advances in Theory and Practice." This division is somewhat arbitrary, in the sense there are significant overlapping themes in both sections. However, it serves to separate chapters that can be characterised as dealing with broader issues (Section I), from chapters that can be characterised as focusing on specific theoretical problems and empirical cases (Section II).

Joanne Limburg is a woman who thinks things she doesn't want to think, and who does things she doesn't want to do. As a small child, she would chew her hair all day and lie awake at night wondering if heaven had a ceiling; a few years later, when she should have been doing her homework, she was pacing her bedroom, agonising about the unfairness of life as a woman, and the shortness of her legs. By the time she was an adult, obsessive thoughts and compulsive behaviours had come to dominate her life. She knew that something was wrong with her, but it would take many years before she understood what that something was. *The Woman Who Thought Too Much* follows Limburg's quest to understand her Obsessive-Compulsive Disorder and to manage her symptoms. She takes the reader on a journey through consulting rooms, libraries and internet sites, as she learns about rumination, scrupulosity, avoidance, thought-action fusion, fixed-action patterns, anal fixations, schemas, basal ganglia, tics and synapses. Meanwhile, she does her best to come to terms with an illness which turns out to be common and even - sometimes - treatable. This vividly honest memoir is a sometimes shocking, often humorous revelation of what it is like to live with so debilitating a condition. It is also an exploration of the inner world of a poet and an intense evocation of the persistence and courage of the human spirit in the face of mental illness.

This book offers a unique and thought provoking exploration of how property concepts can be substantially reshaped to meet ecological challenges. It takes the discussion

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beyond its traditional parameters and offers new insights into conceptualizing and justifying property systems, in an age of ecological consequences.

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This casebook is an authoritative introduction to the study of public land and resources law. Case studies, case notes, and examples illustrate points under consideration. Thought-provoking questions generate classroom discussion and hone students' legal reasoning. Representative topics include authority on public lands, wildlife resource, preservation, resource, and history of public land law.

Analyzes the economic contribution of IPRs' underlying features: innovation and access to international technologies.

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"Privatizing" public resources by creating stronger property rights is an increasingly popular environmental policy option. While advocates of this type of "market-based" environmental policy tend to focus on its efficiency and ecological implications, such policies also raise important considerations of equity and distributive justice. This book confronts these ethical implications by showing not that equity ideas should influence such policies, but how in fact they already do so.

This short, integrated text offers a fresh approach to a familiar field. Instead of considering resources one by one and paying special attention to federal lands, Freyfogle steps back from nature and considers the functions that natural resources law performs whenever nature is divided into private use rights. He mixes cases involving a wide range of resources, from ice and seaweed to caves

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and subterranean formations, on private as well as public lands. Students gain a clear sense about the elements of private use rights while exploring the many ways law can promote collective decision-making among resource users. The book should be particularly appealing to law schools in regions with few federal lands and with instructors that want to focus on basic policy issues. A 3-hour course can cover the entire book.

This book traces the development of the standard property rights over five kinds of natural resource - inland rivers, ocean fisheries, petroleum resources, gold and base metals and forest resources - from classical times through to the 19th century. Completely private resources and those in the public (or Crown) lands are given equal attention and a simple supply-and-demand model is used to explain how property rights are altered over time. Scott also provides the reader with a unique set of characteristics for defining rights and numerous case studies and examples of their evolution, highlighting the increasing recourse to common law courts and government legislation and the problems caused by competing demands on the same, limited resources. This book provides a unique insight into the historical development of property rights and makes a special plea for the multiple-purpose and multi-owner management of resource rights. It will provide a valuable resource for those interested in resource management, economic history, property rights, and development.

Political theorists consider the challenge of global climate change from a range of perspectives, including conceptual analysis, critical theory, critical legal studies, and neo-Marxism. Climate change will shape the political, economic, and cultural landscape as surely as it shapes the natural landscape. It challenges our existing political institutions, ethical theories, and ways of conceptualizing the human relationship to the environment, it defies current principles of distributive justice, transcends current discourses on rights, and disrupts our sense of place. *Political Theory and Global Climate Change* argues that the conceptual tools of political theory can help us understand the obstacles to fair and effective global climate change policies, and this volume offers a selection of innovative and integrative scholarly efforts to do so. Illuminating the variety of political, economic, and social problems caused by global warming, the book applies a range of theoretical approaches and methodologies--from analytic philosophy and constitutional and legal theory to neo-Marxism and critical theory--using climate change as a case to test standard normative and empirical premises. The book first looks at distributive justice concerns raised by climate change, including allocation of the global atmospheric commons and how to establish the basis for a fair and effective global climate policy regime, then examines the complex relationships between climate change and society, including the way that social institutions and practices construct, reinforce, aim to address, and are disrupted by climatic instability. Showing how political theory challenges and is challenged by global climate change, the book both demonstrates and evaluates innovative approaches in the developing field of environmental political theory. Contributors

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Martin J. Adamian, John Barry, Peter F. Cannavò, Stephen Gardiner, George Gonzalez, Amy Lovecraft, Timothy W. Luke, Leigh Raymond, Steve Vanderheiden

This text focuses on governmental natural resource and land use policy in the areas of agriculture, energy, forestry, mining, and water. The authors argue that this policy has failed and outlines the need for new ways to encourage the privatization of policy reforms. The contents of the book include the philosophical and constitutional case, the bureaucracy verses the land, the federal estate, and recommendations for policy reform.

A history of the public and private acquisition of land for conservation and an analysis of its effectiveness in protecting the environment.

How did Chicago, a city known for commerce, come to have such a splendid public waterfront—its most treasured asset? Lakefront reveals a story of social, political, and legal conflict in which private and public rights have clashed repeatedly over time, only to produce, as a kind of miracle, a generally happy ending. Joseph D. Kearney and Thomas W. Merrill study the lakefront's evolution from the middle of the nineteenth century to the twenty-first. Their findings have significance for understanding not only Chicago's history but also the law's part in determining the future of significant urban resources such as waterfronts. The Chicago lakefront is where the American public trust doctrine, holding certain public resources off limits to private development, was born. This book describes the circumstances that gave rise to the doctrine and its fluctuating importance over time, and reveals how it was resurrected in the later twentieth century to become the primary principle for mediating clashes between public and private lakefront rights. Lakefront compares the effectiveness of the public trust idea to other property doctrines, and assesses the role of the law as compared to more institutional developments, such as the emergence of sanitary commissions and park districts, in securing the protection of the lakefront for public uses. By charting its history, Kearney and Merrill demonstrate that the lakefront's current status is in part a product of individuals and events unique to Chicago. But technological changes, and a transformation in social values in favor of recreational and preservationist uses, also have been critical. Throughout, the law, while also in a state of continual change, has played at least a supporting role.

Private Rights in Public Resources Equity and Property Allocation in Market-based Environmental Policy Resources for the Future

Foot-tracks in New Zealand examines the development of walking tracks over two centuries, from the early 19th century to about 2011. The paperback version comes in two volumes but is otherwise identical to the electronic version. Page size: A4 Format: Paperback, 2 vol. ISBN: 0473191911, 9780473191917 Number of pages: 1000 About: Trails, Tracks, New Zealand, History, Recreation, Land access. Availability: By print on demand from The Fine Print Company, Waipukurau, Central Hawke's Bay, 4200, NZ.

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