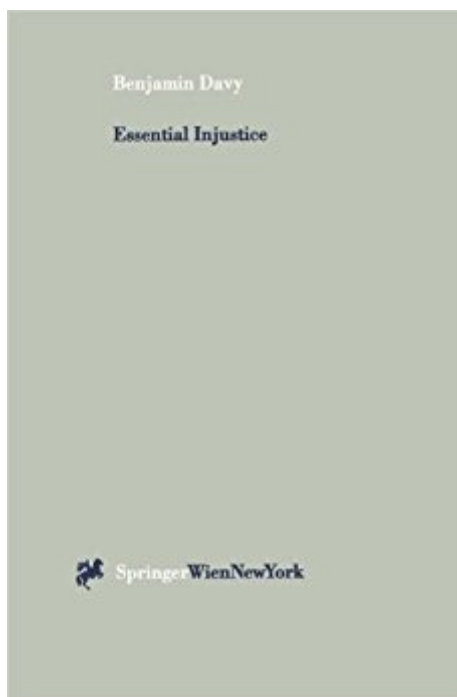




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Essential Injustice: When Legal Institutions Cannot Resolve Environmental And Land Use Disputes



Synopsis

Increasingly, legal institutions cannot resolve disputes over the siting of hazardous waste facilities. One reason for the impasse between developers, regulators, and opponents is the inability to establish a fair distribution of environmental burdens. Since justice is a key element of resolving environmental and land use disputes, "Essential Injustice" is about pollution, burden, and injustice. Is it just that developers make profits by imposing risks on others? Is it fair to restrict economic progress or private property for the comfort of anxious citizens? Does society equitably compel one community to tolerate extraordinary burdens for the benefit of the general public? Obviously, easy answers are not available, because pollution will not go away, some people are going to suffer, and injustice is inevitable. By listening to the victims of injustice, however, we can learn to avoid the consequences of environmental injustice. "Rarely is one privileged to review a seminal work, yet this is what lawyer Davy delivers with Essential Injustice. Well written, his easygoing, engaging style makes light work of a truly heavyweight analysis. Meticulous explanation, use of relevant examples, illustrations and modelling, excellent cross referencing and voluminous annotation gently guide the reader through a complex web of wide-ranging but closely interconnected concepts to ensure clarity and consistency of argument ... Presented in a form equally suited to academic and professional consumption, Davy's insights in Essential Injustice will advance practical, theoretical and philosophical debate at all levels across a wide range of disciplines". Town Planning Review

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