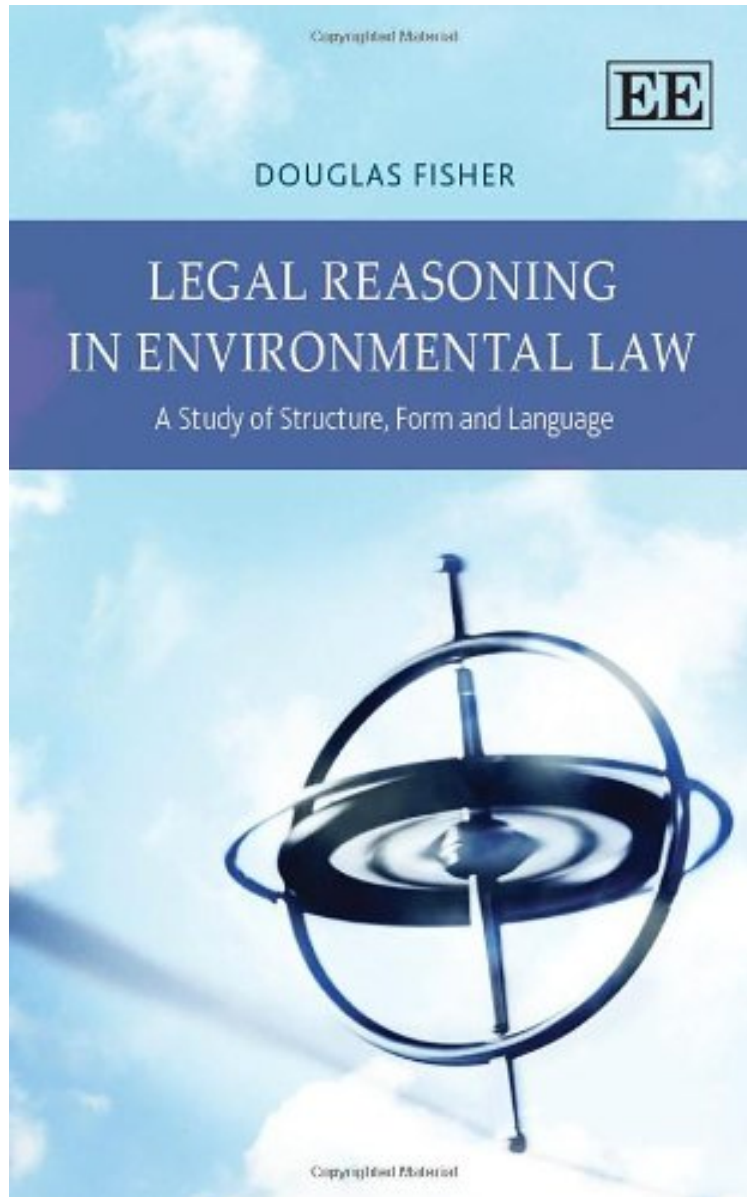


Legal Reasoning in Environmental Law: A Study of Structure, Form and Language

Douglas Fisher

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Douglas Fisher : Legal Reasoning in Environmental Law: A Study of Structure, Form and Language before purchasing it in order to gauge whether or not it would be worth my time, and all praised Legal Reasoning in

Environmental Law: A Study of Structure, Form and Language:

'Professor Fisher's analysis reveals the rationality, or rather the lack of it, of current environmental decision-making. It also provides the evidence for an environmental grundnorm to guide legal reasoning. Without it, political and legal decision-makers will not be able to achieve ecologically sustainable development. A timely book on a hugely important issue.' - Klaus Bosselmann, University of Auckland, Australia
I am afraid that an endorsement of this kind, however condense and packed with praise, cannot do justice to Doug Fisher's latest book. A respected and seasoned environmental law scholar, Fisher skilfully reminds us that law is about language and that language is the point of commencement of legal reasoning, also in environmental law and governance. Importantly, language and legal argumentation and reasoning will play a determinative role in our efforts to achieve sustainability. The book's detailed account of the different forms of legal argumentation; the methodology of legal decision-making; and the connection between law, language and legal reasoning in international environmental law and governance, is an invaluable resource for scholars of legal hermeneutics, international lawyers generally, and specifically, for environmental lawyers.

BR- Louis J. Kotz, North West University, South Africa
Legal Reasoning in Environmental Law provides a comprehensive review and analysis of the range of legal reasoning processes to support the understanding, interpretation and application of international, regional and national rules of environmental law. The book considers how rules for environmental governance are designed to accommodate the various competing interests within each of the private and public sectors and also between the two sectors. The author then examines how decisions in particular cases reflect the sources of these rules together with their form, structure and language. He exposes the ways in which reliance upon an extensive range of legal reasoning processes are used to justify the particular decision by interpreting and applying these rules to the case in question. Much has been written about legal reasoning and about environmental law but relatively little about the relationship between the two. This book will strongly appeal to legal scholars for its analysis of intellectual processes, and to legal practitioners for its exposition of how decisions are made.

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-- Louis J. Kotze, North West University, South Africa
It can be said that Fisher's new book is a specific delight to read because the author has such thorough knowledge of jurisprudence in this case, the theory of legal reasoning and a hands-on approach to environmental law in the most concrete sense of the word. It is a clearly structured, well-balanced, and well thought out presentation that fills an important gap in environmental law scholarship.'

-- Niko Soininen, Yearbook of International Environmental Law
About the Author
Douglas Fisher, Professor of Law, Queensland University of Technology, Australia