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Editor's Note

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EDITORS' NOTE

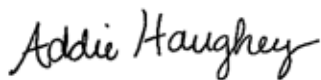
As the ongoing battle in the United States Congress over climate change legislation demonstrates, a legislature or parliament is not always the key to progressing sustainable development strategies. It is often in the courts where progress can be made, and it is this exact idea that our staff endeavored to explore in our fall issue.

SDLP's work on this topic has brought to light a number of unexpected realities. For example, South Asia and Africa are doing more than we previously believed to proliferate sustainable development, with constitutional guarantees of the right to life and a clean environment common within legal systems in those regions. Canada, on the other hand, is not as green as we once thought, with its provincial system building barriers to sustainable development unique to that nation.

On the home front, many environmental lawyers were thrilled to see so many cases dealing with sustainability issues go up to the US Supreme Court in the last few terms, but Professor May paints a much bleaker picture, laying out the true impacts those new precedents may have dealt. One of our student writers points to another domestic strategy—take the victories we do have in the US courts and spread them far and wide. This shows that even in the face of little Congressional progress and negative precedent, the courts can be used by creative and innovative litigators to push the envelope.

An additional article covers the September proceedings of a conference titled Transformation: The Road to a 21st Century Energy Infrastructure Impediments and Opportunities for Renewable Energy Deployment sponsored by the ABA Section on Environment and Energy and by SDLP and the WCL Environmental Law Society, held at the Washington College of Law.

Our hope is for this issue to broaden the discussion going on among litigators at every level and to encourage them to look outside their own system and their own paradigm to see how sustainable development driven litigation is happening—and succeeding—everywhere.



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