

“It’s not what we teach, but how we teach it”

The Environment and Sustainability

at

Santa Clara University

School of Law

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Spirituality and Sustainability
Spring, 2005

Abstract

The purpose of our project is to examine Santa Clara University's School of Law in relationship to the University's Comprehensive Policy on Sustainability, the Law School's Mission Statement, and recent commitments made by the Law School at the 2005 Future Directions conference.

We sought to understand how the Law School at SCU trains future environmental lawyers and how the Jesuit tradition may effect their perspectives on the ways in which spirituality guides environmental justice.

Finally, we examined "best practices" of other law schools in the surrounding Bay Area and also of the top Environmental Law programs in the nation in order to offer suggestions for developing a more comprehensive Environmental Law department at SCU.



Santa Clara University Mission Church

<http://www.scu.edu/virtualtour/mission.cfm>

Sustainability at Santa Clara University

...serving local and global communities by addressing environmental issues through education, research, and leadership

<http://www.scu.edu/envs/index.html>

Comprehensive Policy on Sustainability

♻️ Stewardship

We are mindful of the need to share equitably the natural resources on which all life depends.

♻️ Education

We seek to prepare our students by integrating sustainability into the goal of educating the whole person.

♻️ Service

We support efforts to integrate sustainability into the community. We promote public dialogue on sustainability.

<http://www.scu.edu/sustainability/>



Replacement of diesel burning jeeps by these electric powered vehicles is one example of how SCU is acting on its commitment to sustainability

<http://cms.scu.edu/sustainability/projects/index.cfm>

Santa Clara University School of Law

Statement of Purpose:

Santa Clara University School of Law will excel in preparing its students to meet the challenges of a legal profession that is increasingly global, technologically sophisticated, and culturally diverse. In fulfilling this vision, the Law School is dedicated to educating lawyers of competence, conscience and compassion.

http://www.scu.edu/law/admissions/statement_of_purpose.html

Future Directions-January 27-28th, 2005

Drafted by Donald J. Polden, Professor of Law

- ∞ Serving an Increasing Diverse World
- ∞ Training Lawyers to be Ethical, Moral, Public Servants
- ∞ Educating Lawyers for Global Professional Engagement and Responsibilities
- ∞ Improving Environmental Decision-Making and the World Ecology
- ∞ Preparing Students for the Application of Technology to a Changing Legal Profession

<http://www.scu.edu/strategicplan/futuredirections/area/law.cfm>

Interview: Kenneth Manaster, Professor of Law

How is the University's commitment to sustainability and environmental education carried out within the Law School?

- ∞ Defining the Issues
- ∞ Curriculum
- ∞ Training Future Lawyers
- ∞ Community Outreach
- ∞ Student Initiatives

Manaster, Kenneth. Personal interview. 13 May. 2005.



Kenneth Manaster, Professor of Law

Defining the Issues

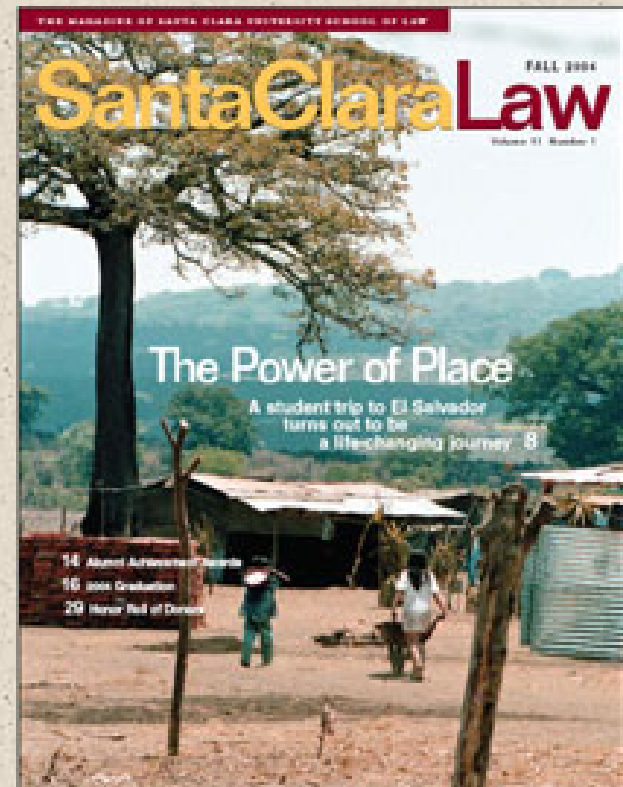
∞ Environmental Justice

The Law School seeks to address issues of social justice in the community. Oftentimes, these issues are of an environmental nature due to the disproportionate relationship between poverty and environmental degradation.

∞ Sustainability

The Law School recognizes that as a global community, we must address issues of sustainability. They feel that through their environmental law curriculum, which places emphasis on ethics in the Jesuit tradition, SCU develops students who will consciously act in an environmentally sustainable ways.

Manaster, Kenneth. Personal interview. 13 May. 2005.



Santa Clara Law Magazine – examining issues of law, justice and equality in a global society

Environmental Law Curriculum

The Law School offers 4 courses that students may take if they are interested in environmental law.

- ∞ Environmental and Toxic Torts
- ∞ Environmental Law Seminar
- ∞ International Environmental Law
- ∞ Environmental Protection Law



Law class at SCU

Manaster, Kenneth. Personal interview. 13 May. 2005.

Training Future Lawyers



Viva Stowe, 2004 Law School Graduate

*...environmental lawyers
serve a special place in the
environmental
movement...*

Manaster, Kenneth. Personal interview. 13 May. 2005.

☞ As lawyers, it is important for students to recognize their important responsibility to serving justice

☞ Lawyers will often face challenges in which they will need to balance the interests of the environment with interests of the economy

☞ As most students will not work for public environmental organizations, it is important to recognize that their impact will be felt even in their private sector careers

☞ As private sector lawyers, they will have the opportunity to influence sustainable decision making practices by their clients.

Community Outreach - Real People...Real Problems

∞ Provides pro bono legal representation to low income individuals in the areas of immigration, small business, consumer and workers rights, and helps low income individuals understand and enforce their legal rights.

∞ Effects social change by working with legislators and law reform committees to effectuate changes in the law to improve the rights of low-income individuals.

http://www.scu.edu/law/kgaclc/about_us.html



<http://www.scu.edu/law/kgaclc/index.html>

...real people, real problems...those living in impoverished communities feel the effects of environmental destruction in their homes and workplaces...

Manaster, Kenneth. Personal interview. 13 May. 2005.

Environmental Law in the Surrounding Bay Area

Stanford University, Palo Alto, California

Curriculum:

Through the Environmental and Natural Resources Law & Policy Program at Stanford University, students are able to choose from over 30 courses related to environmental Law



<http://www.law.stanford.edu/programs/academic/enrlp/courses/>

Students in Action:

Environmental Law students at Stanford University can choose to take part in Earthjustice-an organization dedicated to environmental issues in the Bay Area. They may also contribute to the Stanford Environmental Law Journal, or join the Environmental Law Society.



<http://www.earthjustice.org/>



"Today's environmental lawyers must bridge diverse interests and approach problems creatively, which in turn requires an understanding of law, science, technology, economics, politics, and psychology. Stanford's Environmental and Natural Resources Law & Policy Program prepares the next generation of environmental lawyers for these challenges."

Barton H. "Buzz" Thompson, Jr.,
JD/MBA '76 (AB '72)
Robert E. Paradise Professor of
Natural Resources Law and Vice
Dean

<http://www.law.stanford.edu/programs/academic/enrlp/>

Environmental Law in the Surrounding Bay Area

Boalt Hall School of Law-University of California, Berkeley

Curriculum:

Students may pursue a Certificate of Specialization in Environmental Law by undertaking additional environmental law coursework. The Law School offers 17 courses from which to choose.

<http://www.law.berkeley.edu/cenpro/envirolaw/certificate.html>

Students in Action:

Interested law students may contribute to the Ecology Law Quarterly, or join the very active Environmental Law Society

<http://www.law.berkeley.edu/cenpro/envirolaw/students.html>



<http://www.law.berkeley.edu/studentorgs/els/index.html>

Prestigious Law Programs in the U.S.

VERMONT LAW SCHOOL *LAW FOR THE COMMUNITY AND THE WORLD*

Curriculum:

☞ “The mission of the 25-year-old Environmental Law Center is to educate for stewardship and an understanding of underlying environmental issues and values” <http://www.vermontlaw.edu/elc/index.cfm>

☞ The Vermont Law School offers over 50 course specializing in environmental law

http://www.vermontlaw.edu/elc/index.cfm?doc_id=110

☞ Students may undertake Dual Environmental Law Degree options in conjunction with other nearby Universities, including Yale and Dartmouth.

http://www.vermontlaw.edu/elc/index.cfm?doc_id=119

Students in Action:

☞ Environmental Tax Policy Institute

☞ Environmental and Natural Resources Law Clinic

☞ Vermont Journal of Environmental Law

☞ Environmental Semester in Washington D.C.



Prestigious Law Programs in the U.S.

Curriculum:

- ☞ Certificate in Environmental and Natural Resources Law
- ☞ Opportunities for hands on learning experiences (advocacy center and internships)

http://www.lclark.edu/dept/elaw/real_world.html



The environmental law programs at Lewis and Clark are housed in Wood hall, an example of "green building,"

<http://www.lclark.edu/dept/elaw/place.html>

Lewis and Clark Law School, Portland, Oregon



Students in Action:

- ☞ Coalition Advocating Transportation Sensibility (CATS),
- ☞ Environmental Justice Advocates
- ☞ Environmental Law Caucus
- ☞ Northwest Environmental Defense Center
- ☞ Public Interest Law Project
- ☞ Student Advocates for Business and Environmental Responsibilities (SABER),
- ☞ Student Animal Legal Defense Fund

http://www.lclark.edu/dept/elaw/student_groups.html

Prestigious Law Programs in the U.S.

Pace Law School

Curriculum

- ☞ Pace offers joint degree programs with other prestigious universities such as Yale.
- ☞ Students may pursue a Certificate in Environmental Law, a 12 credit program
- ☞ The law school offers over 30 environmental law courses

<http://www.law.pace.edu/environment/degrees.html>

Students in Action:

- ☞ Pace Environmental Law Society
- ☞ National Environmental Law Moot Court Competition
- ☞ Pace Environmental Law Review-Green Law
- ☞ Environmental Litigation Clinic

<http://www.law.pace.edu/environment/activities.html>



Future Directions

We believe that Santa Clara University's unique commitment to sustainability, justice and solidarity, all Jesuit core values, will aid the further development of a vision of sustainability for all disciplines on campus, including law. Based on our research we recognize that the following suggestions will enable Santa Clara Law School to best fulfill the University vision, while also improving the quality of legal education offered here at SCU.



- ∞ Consider the addition of more environmental law courses
- ∞ Offer students an option to participate in an Environmental Law Certificate program
- ∞ Establish a joint degree program incorporating environmental and resource management Master's programs with nearby universities
- ∞ Support and encourage environmental law clinics, an environmental law journal and other student initiatives
- ∞ Consider the "greening" of SCU law facilities

Ideals that Guided our Research

☞ “...politicians and scientists and economists alone cannot solve the problem. Humanity needs a deep conversion of heart that will lead it to love, nurture and protect the material earth that is our home.” William Johnston

☞ “...justice in Christian thought is the social and ecological expression of love and means a special concern for the poor, a rough calculation of freedom and equality, and a passion for establishing equitable relationships.” James B. Martin-Shramm & Robert L. Stivers

☞ “Let ours be a time remembered for the awakening of a new reverence for life, the firm resolve to achieve sustainability, the quickening for the struggle for justice and peace, and the joyful celebration of life.” The Earth Charter’s Conclusion presented by Christopher Uhl



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Johnston, William. *Arise, My Love...Mysticism For a New Era*. New York: Orbis Books, 2000.

Uhl, Christopher. *Developing Ecological Consciousness*. Maryland: Rowmand & Littlefield Publishers, Inc, 2004.

Martin-Schramm, James B.& Stivers, Robert L.. *Christian Environmental Ethics: A Case Method Approach*. New York: Orbis Books, 2003.

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Stanford University Environmental Law Program: <http://www.law.stanford.edu/programs/academic/enrlp/>

Stanford University Environmental Law Clinic: <http://www.earthjustice.org/>

Boalt Hall, UC Berkeley environmental law program: <http://www.law.berkeley.edu/cenpro/programs/envirolaw.html>

Vermont Law School environmental law program: <http://www.vermontlaw.edu/elc/index.cfm>

Lewis and Clark School of Law environmental law program: <http://www.lclark.edu/dept/elaw/>

Pace Law School environmental law program: <http://www.law.pace.edu/environment/index.html>

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Johnston, William. *Arise, My Love...Mysticism For a New Era*. New York: Orbis Books, 2000.

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