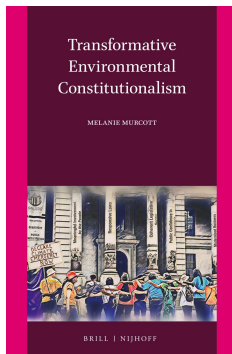


Pathways Forum #11 - Reading List

From grassroots to courtrooms: litigation as a vector for transformations

Provided by the Future Earth Pathways Initiative: pathways.futureearth.org

Book



Transformative Environmental Constitutionalism (2022)

by Melanie Murcott

<https://doi.org/10.1163/9789004509405>

Social movements are increasingly approaching the courts to advance intersecting struggles for social, environmental, and climate justice. Transformative constitutional regimes in South Africa and elsewhere that incorporate environmental and human rights protections offer potentially powerful legal norms to advance the struggles of these movements. Grappling with such norms and with problematic trends in adjudication, Prof. Melanie Jean Murcott develops a legal theory of Transformative Environmental Constitutionalism as a novel framework within which courts could adjudicate environmental law disputes, developing law for the Anthropocene's global struggles.

Articles

Transnational Insights for Climate Litigation at the European Court of Human Rights: A South-North Perspective in Pursuit of Climate Justice (2023) by Melanie Murcott, Maria Antonia Tigre and Nesa Zimmermann

<https://www.nomos-elibrary.de/10.5771/0506-7286-2023-2-299.pdf>

Slow justice and other unexpected consequences of litigation in environmental conflicts (2023) by Marta Conde, Mariana Walter, Lucrecia Wagner, Grettel Navas

<https://www.sciencedirect.com/science/article/pii/S0959378023001280>

Global Trends in Climate Change Litigation: 2023 Snapshot (2023) by Joana Setzer and Catherine Higham

https://www.lse.ac.uk/granthaminstitute/wp-content/uploads/2023/06/Global_trends_in_climate_change_litigation_2023_snapshot.pdf



If at First You Don't Succeed: Suing Corporations for Climate Change (2018) by Geetanjali Ganguly, Joana Setzer and Veerle Heyvaert

<https://academic.oup.com/ojs/article/38/4/841/5140101?login=false>

Climate litigation as climate activism: what works? (2020) by Kim Bouwer and Joana Setzer
<https://www.thebritishacademy.ac.uk/publications/knowledge-frontiers-cop26-briefings-climatelitigation-climate-activism-what-works/>

Environmental Legal Mobilization (2022) by Lisa Vanhala

<https://www.annualreviews.org/doi/pdf/10.1146/annurev-lawsocsci-050520-104423>

Courts, Climate Litigation and the Evolution of Earth System Law (2023) by Louis J. Kotzé, Benoit Mayer, Harro van Asselt, Joana Setzer, Frank Biermann, Nicolas Celis, Sam Adelman, Bridget Lewis, Amanda Kennedy, Helen Arling, Birgit Peters

<https://doi.org/10.1111/1758-5899.13291>

Urgent agenda: how climate litigation builds transnational narratives (2020) by Phillip Paiement

Full article: [Urgent agenda: how climate litigation builds transnational narratives \(tandfonline.com\)](https://www.tandfonline.com)

Litigating Climate Justice: The Right to Health and Vulnerable Populations in Latin America (2023) Thalia Viveros Uehara

[Litigating Climate Justice: The Right to Health and Vulnerable Populations in Latin America by Thalia Viveros Uehara :: SSRN](https://www.ssrn.com/abstract/4288888)

Addressing the Climate Emergency: The Untapped Potential of South African Constitutional Law (2023) César Rodríguez-Garavito and Jacqueline Gallant

<https://www.nisc.co.za/products/97/journals/constitutional-court-review>

Minding the Gap in the Constitutional Court's Jurisprudence Concerning the Environmental Right (2023) Melanie Murcott

<https://www.nisc.co.za/products/97/journals/constitutional-court-review>

