

ENVIRONMENTAL LAW AND POLICY ANNUAL REVIEW

2022–2023 ENVIRONMENTAL JUSTICE ARTICLE OVERVIEW CHART

The 2022–2023 [Environmental Justice](#) Article Overview Chart highlights articles that student editors identified during their review of articles for potential inclusion in the [Environmental Law and Policy Annual Review](#) (ELPAR), which is published as the August issue of the Environmental Law Institute's [Environmental Law Reporter](#) in partnership with [Vanderbilt University Law School](#).

The articles included in the chart are drawn from a pool that includes every environmental article published from August 1, 2022, through July 31, 2023, in the general law reviews from the top 100 law schools (as ranked by U.S. News and World Report in its most recent report) and journals listed in the “Environmental and Land Use Law” and “Energy and Natural Resources Law” subject areas of the most recent rankings compiled by Washington & Lee University School of Law, with certain modifications. The chart does not include articles that were published during the stated publication window but embargoed (i.e., released after a delay) by Westlaw beyond the initial screening period.

AUTHOR(S)	TITLE	CITATION AND URL
Abate, Randall S.	<i>Youth and Indigenous Voices in Climate Justice: Leveraging Best Practices from U.S. and Canadian Litigation</i>	45 PUB. LAND & RES. L. REV. 77 https://scholarworks.umt.edu/cgi/viewcontent.cgi?article=1774&context=plrlr
Anozie, Chiononso	<i>Equalizing Remediation</i>	2023 WIS. L. REV. 919 https://wlr.law.wisc.edu/wp-content/uploads/sites/1263/2023/05/5.-14-Anozie-Camera-Ready-919--976.pdf
Arnold, Craig Anthony (Tony) Bencomo-Suarez, Frank Stevenson, Pierce Eisert, Elijah Beau Khan, Henna Utz, Rachel Wells-Gonzalez, Rebecca	<i>Justice, Resilience, and Disruptive Histories: A South Florida Case Study</i>	34 COLO. ENV'T L.J. 213 https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4304128
Bandopadhyay, Saptarishi Coene, Joshua R.	<i>Disaster Risk in the Carceral State</i>	42 STAN. ENV'T L.J. 171 https://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=4116&context=scholarly_works
Benjamin, Lisa	<i>EVs as EJ?</i>	47 HARV. ENV'T L. REV. 347 https://journals.law.harvard.edu/elr/wp-content/uploads/sites/79/2024/01/HELR-Vol.-47.2-Benjamin.pdf

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Bingle, Madison P.	<i>Codifying Ecocide as an International Atrocity Crime: How Amending Ecocide into the Rome Statute Could Provide Vietnamese Agent Orange Victims Access to Justice</i>	45 U. HAW. L. REV. 123 https://static1.squarespace.com/static/6321d5419facf744f77d26e3/t/642fe1c5770bc4210b108809/1680859595278/45-U.-Haw.-L.-Rev.+%28Issue+1+-+Winter+2022%29.pdf
Bratspies, Rebecca	<i>"Unburdened" Communities</i>	110 CALIF. L. REV. 1933 https://www.californialawreview.org/s/Bratspies-36-post-EIC.pdf
Celorio, Rosa	<i>The Kaleidoscope of Climate Change and Human Rights: The Promise of International Litigation for Women, Indigenous Peoples, and Children</i>	13 ARIZ. J. ENV'T L. & POL'Y 155 https://static1.squarespace.com/static/6307d452a995602a1c242475/t/6452c101572609789d09c0bd/1683144962907/Kaleidoscope+of+Climate+Change+and+Human+Rights.pdf
Chan, Gabriel Klass, Alexandra B.	<i>Regulating for Energy Justice</i>	97 N.Y.U. L. REV. 1426 https://repository.law.umich.edu/cgi/viewcontent.cgi?article=3764&context=articles
Dávila A., Sarah	<i>How Many More Brazilian Environmental Defenders Have to Perish Before We Act? President Lula's Challenge to Protect Environmental Quilombola Defenders</i>	47 WM. & MARY ENV'T L. & POL'Y REV. 657 https://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=1852&context=wmelpr
Diamond, Danielle Ashwood, Loka Franco, Allen Kuehn, Lindsay Imlay, Aimee Boutwell, Crystal	<i>Agricultural Exceptionalism, Environmental Injustice, and U.S. Right-to-Farm Laws</i>	52 ENV'T L. REP. 10727 https://animal.law.harvard.edu/wp-content/uploads/Diamond.pdf
Farah, Paolo Davide Giudice, Alessio Lo	<i>Climate Justice in the Anthropocene and Its Relationship with Science and Technology: The Importance of Ethics of Responsibility</i>	55 CONN. L. REV. 819 https://digitalcommons.lib.uconn.edu/cgi/viewcontent.cgi?article=1568&context=law_revie w

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Figueroa Helland, Leonardo	<i>Indigenous Pathways Beyond the “Anthropocene”: Biocultural Climate Justice Through Decolonialization and Land Rematriation</i>	30 N.Y.U. ENV’T L.J. 347 https://www.nyuelj.org/wp-content/uploads/2022/11/Helland_ReadyForPrinter-Round-2-RM.pdf
Fox, Sarah	<i>The Prospect and Perils of Climate Preemption for Public Health</i>	15 NE. U.L. REV. 1 https://huskiecommons.lib.niu.edu/cgi/viewcontent.cgi?article=1067&context=clglaw
Gutiérrez-Graudiņš, Marcela Macey, Gregg P.	<i>Coastal Justice: Lessons from the Frontlines</i>	14 GEO. WASH. J. ENERGY & ENV’T L. 81 https://gwjeel.com/wp-content/uploads/2023/08/JEEL-Vol-14-Issue-2-ONLINE.pdf
Hill, Barry E.	<i>Environmental Justice and the Transition from Fossil Fuels to Renewable Energy</i>	53 ENV’T L. REP. 10317 https://heinonline.org/HOL/P?h=hein.journals/elrna53&i=331
Hirokawa, Keith H. Carlarne, Cinnamon P. Börk, Karrigan S. Ziaja, Sonya	<i>Mapping Ecosystem Benefit Flows to Normalize Equity</i>	54 ARIZ. ST. L.J. 819 https://arizonastatelawjournal.org/wp-content/uploads/2023/02/Bork_-_Publication.pdf
Kennedy, Elizabeth J.	<i>Equitable, Sustainable, and Just: A Transition Framework</i>	64 ARIZ. L. REV. 1045 https://arizonalawreview.org/pdf/64-4/64arizlrev1045.pdf
Levenson, Laurie L.	<i>Climate Change and the Threat to U.S. Jails and Prisons</i>	33 VILL. ENV’T L.J. 143 https://digitalcommons.law.villanova.edu/cgi/viewcontent.cgi?article=1457&context=elj
LoMonte, Frank D. Delgado, Daniel	<i>The Importance of Accessible Government Data in Advancing Environmental Justice</i>	47 WM. & MARY ENV’T L. & POL’Y REV. 827 https://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=1855&context=wmelpr

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Macneill, Christopher Mark	<i>UNCLOS, UNDRIP & Tartupaluk: The Grim Tale of Hans Isle and Graense</i>	23 SUSTAINABLE DEV. L. & POL'Y 18 https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1728&context=sdlp
McDougall, Harold Agyeman Bofo, Yaw	<i>Vernacularizing Sustainability in Post-Colonial Ghana</i>	34 FORDHAM ENV'T L. REV. 1 https://papers.ssrn.com/sol3/Delivery.cfm/SSRN_ID4675259_code624566.pdf?abstractid=4675259&mirid=1
McGinley, Patrick C.	<i>With a Wink and a Nod: How Politicians, Regulators, and Corrupt Coal Companies Exploited Appalachia</i>	57 U. RICH. L. REV. 899 https://scholarship.richmond.edu/cgi/viewcontent.cgi?article=3419&context=lawreview
Mercaldi, Brooke	<i>Enhancing the Coastal Zone Management Act by Integrating Environmental Justice</i>	12 CHI.-KENT J. ENV'T & ENERGY L. 31 https://studentorgs.kentlaw.iit.edu/ckjeel/wp-content/uploads/sites/23/2022/11/v12i1-2022-2023-2-Mercaldi.docx.pdf
Neal, Mel	<i>Between a Rock and a Hard Place: The Current Situation of the #LandBack Movement and Indigenous-Imagined Futures</i>	13 ARIZ. J. ENV'T L. & POL'Y 47 https://static1.squarespace.com/static/6307d452a995602a1c242475/t/63d951d8347aab34d479d2bb/1675186648905/Between+a+Rock+and+a+Hard+Place+-+Neal.pdf
Okoh, Michele	<i>Forgotten Waters</i>	111 GEO. L.J. 723 https://www.law.georgetown.edu/georgetown-law-journal/wp-content/uploads/sites/26/2023/06/GT-GGLJ230013.pdf
Olawuyi, Damilola S.	<i>The Search for Climate and Energy Justice in the Global South: Shifting from Global Aspirations to Local Realization</i>	14 GEO. WASH. J. ENERGY & ENV'T L. 98 https://gwjeel.com/wp-content/uploads/2023/08/JEEL-Vol-14-Issue-2-ONLINE.pdf
Ozmy, Melissa Jarrell Ozmy, Joshua	<i>Making Bad Decisions with Toxic Emissions: Exploring the Prosecution of Companies for Superfund Crimes</i>	13 WASH. J. SOC. & ENV'T JUST. 30 https://digitalcommons.law.uw.edu/cgi/viewcontent.cgi?article=1010&context=wjsej

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Racehorse, Vanessa Hohag, Anna	<i>Achieving Climate Justice Through Land Back: An Overview of Tribal Dispossession, Land Return Efforts, and Practical Mechanisms for #LandBack</i>	34 COLO. ENV'T L.J. 175 https://digitalrepository.unm.edu/cgi/viewcontent.cgi?params=/context/law_facultyscholarship/article/1954/&path_info=2023_Achieving_Climate_Justice_Through_Land_Back.pdf
Rudolph, Duane	<i>Climate Discrimination</i>	72 CATH. U. L. REV. 1 https://scholarship.law.edu/cgi/viewcontent.cgi?article=3656&context=lawreview
Salimbene, Franklyn P. Wiggin, William P.	<i>Unending Environmental Injustice: The Legacy of the 1956 Federal-Aid Highway Act</i>	53 ENV'T L. REP. 10169 https://heinonline.org/HOL/LandingPage?handle=hein.journals/elrna53&div=28&id=&page=
Savarani, Sara Spiegel-Feld, Danielle	<i>Equitable Electrification: Could City and State Policies Aggravate Energy Insecurity?</i>	52 ENV'T L. REP. 10831 https://www.elr.info/sites/default/files/files-general/52.10831.pdf
Shields, Erin	<i>Countering Epistemic Injustice in the Law: Centering an Indigenous Relationship to Land</i>	70 UCLA L. REV. 206 https://www.uclalawreview.org/countering-epistemic-injustice-in-the-law-centering-an-indigenous-relationship-toward-land/
Shokar, Jasleen	<i>A New Hope, with a New NEPA: How Existing Environmental Impact Statements Fail to Protect People of Color at the Federal Level</i>	13 ARIZ. J. ENV'T L. & POL'Y 261 https://static1.squarespace.com/static/6307d452a995602a1c242475/t/6452c2ee6dbadc1c6f7cf616/1683145455520/New+Hope%2C+New+NEPA.pdf
Stern, Stephanie M.	<i>Climate Transition Relief: Federal Buyouts for Underwater Homes</i>	72 DUKE L.J. 161 https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=4132&context=dlj
Stump, Nicholas F.	<i>COVID, Climate Change, and Transformative Social Justice: A Critical Legal Research Exploration</i>	47 WM. & MARY ENV'T. L. & POL'Y REV. 147 https://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=1833&context=wmelpr

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Underkuffler, Laura S.	<i>Challenging Equality: Property Loss, Government Fault, and the Global Warming Catastrophe</i>	117 NW. U. L. REV. 335 https://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?article=1505&context=nulr
Villa, Clifford J.	<i>Beyond Bake Sales: Environmental Justice Through Superfund Removal Actions</i>	52 ENV'T L. REP. 10784 https://digitalrepository.unm.edu/cgi/viewcontent.cgi?article=1923&context=law_facultyscholarship
Wawryk, Alex	<i>Mining and the Protection of Aboriginal Heritage in South Australia</i>	47 WM. & MARY ENV'T L. & POL'Y REV. 749 https://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=1854&context=wmelpr