

FOREWORD—*FORWARD* . . .

Editors' Note: As of Summer, 2017, Boston College's *Environmental Affairs Law Review*—founded in 1972 by the late beloved Professor Peter Donovan and a jovial bunch of rambunctious eco-conservationist student activists—will coalesce with all the school's law review publications into one unitary multi-dimensional *Boston College Law Review*. As one of the two oldest environmental law reviews in the world, *EALR* will now continue in a new form, carrying onward its thoughtful perspectives on the law of land and the environment in a dedicated stream of work within the new composite format. This volume of our review is therefore not a farewell but a mile-marker on a continuing journey for our continuing cadre and for readers intrigued by the dynamic and evolving law of land and environment within national and international governance.

Justice William O. Douglas once wrote that “[a] river . . . is the living symbol of all the life it sustains or nourishes . . .” As a living river, the *Boston College Law Review* that flows out into the world from this year into the future will always carry a special legacy and commitment for sustaining and nourishing our school's special vision of law and public service. Like all rivers, this one has been created by a gathering from many tributaries, affected by the different human communities through which it flows. We confidently predict that, in the years ahead, the currents of the *Environmental Affairs Law Review* will always be a special major tributary coursing within the onward-flowing *BCLR* river.

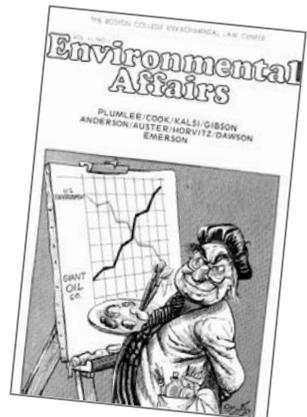
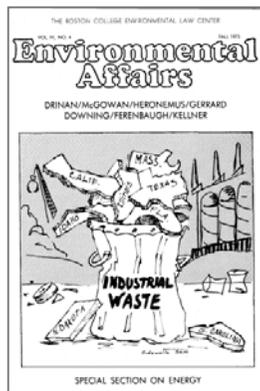
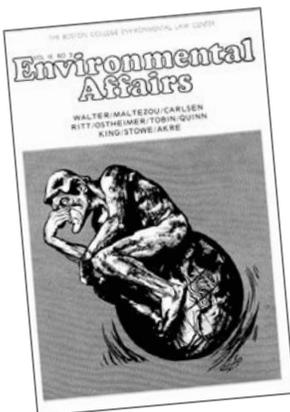
Rachel Carson's canonic *Silent Spring* in 1961 joined with John Muir's work as an inspiration for early generations of environmental lawyers. Public recognition of environmental concerns percolated over the following years into the first Earth Day in April of 1970. That Earth Day stirred a little group of BC law students to plan a new journal that would help bring environmental protection lawyering into the academy. (This was long before most law schools even offered a course in environmental law.) After a year of planning—and urged on by the feisty iconoclasm of their first advisor Peter Donovan—they launched their *Environmental Affairs Law Review* as a journal of law, science, and politics—one of the first two environmental law reviews in the nation, and probably hence the world. (Why *Environmental Affairs*? Tradition has it that this wording was intended to indicate its broader, more inclusive range of fields that would be reflected in its pages—i.e. not your usual dry legal pedagogy.)

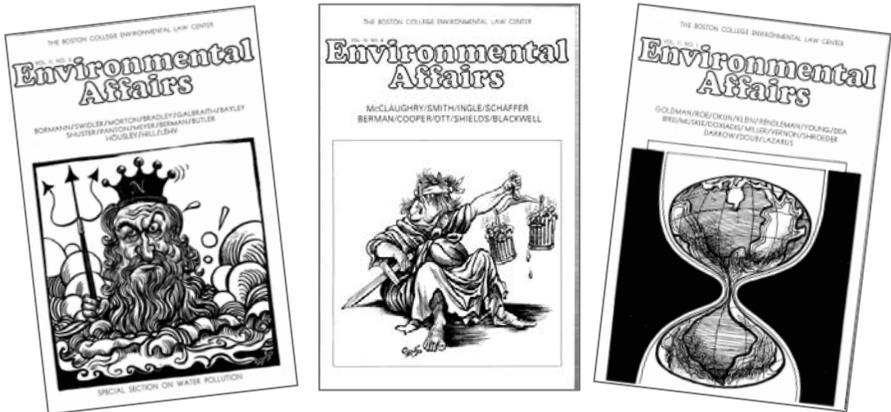
The *EALR*, for which I've had the honor of being a colleague and faculty advisor since 1982, has always had a special clarity, depth, sparkle, and freshness that now it adds to the gathered river on which our academic work will be traveling.

How many fascinating things has the journal covered over these past forty-five years? Consider, please, The First Law of Ecology. What's the First Law of Ecology? It's that *everything is connected to everything else*. As John Muir—the hermit prophet philosopher who inspired President Teddy Roosevelt to launch the nation's first green movement—mused: “When we try to pick out anything by itself, we find it hitched to everything else in the universe.”

The First Law of Ecology can be a daunting, nearly impossible theorem to follow, especially since it reflects not only ecological complexity but all the human complexities that are woven into it. But follow it the *EALR* has done. Over the years, our environmental law review has been trekking into all the corners and horizons of the sprawling interconnections that Muir saw ahead. The heft and significance of the issues it has explored have ranged into intriguing niches in the domestic landscape, far corners of the globe, and dozens of different clefts and crannies of the nation's and the world's legal systems, and into every kind of related subject matter—geophysical, eco-philosophical, chemical and political, organic and nuclear, historic and biological, and onward. From issues of ethics, economics, and technology to litigation strategies, scientific puzzles in the courtrooms, theories of governance and philosophical explorations of legal doctrines and public policies, even digging into perplexes of taxation, trust law, and international trade as they are reflected in environmental protection contexts.

About that special sparkle noted earlier, from the beginning, a special spirit has always existed within *EALR*. It is especially visible as it leaps out from the front covers of the first decade of the review, thereafter somewhat camouflaged by the more staid outward appearance of covers in the second decade and afterward. Between the covers *EALR* has continued to be fearless and iconoclastic as needed, while navigating the turbulent technical, doctrinal, and systemic challenges that have always inhered in environmental protection law and governance.





Note: A fuller collection of EALR's raucous early covers is available at goo.gl/PFet9o.

The *Environmental Affairs Law Review* has been built by generations of law students and contributing authors over the years. Its students' Notes have achieved special recognition, known for innovative inquiries that have sometimes been the first academic writing on previously unexplored issues. The parade of *EALR* symposia over the years has highlighted issues with national and international significance.

In the years to come, the amalgamated *Boston College Law Review* will continue to encourage student work and attract and publish national and international articles in the broad universe of land and environmental law. Some issues will have an emphasis on articles and Notes in the field, others will feature symposia on pressing issues as they inevitably arise from imperfect human actions that impact the planet at many different levels.

We look forward to the demands and rewards of deep work in the vineyards of academe as the *Environmental Affairs Law Review* lives on within the expanded *Boston College Law Review*, exploring, carrying, implementing, and inevitably reflecting the reality, of The First Law of Ecology through many years to come.

ZYGMUNT J.B. PLATER
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