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Consensus and Global Environmental Governance: Deliberative Democracy in Nature's Regime (Earth System Governance)

Walter F. Baber, Robert V. Bartlett

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In this book, Walter Baber and Robert Bartlett explore the practical and conceptual implications of a new approach to international environmental governance. Their proposed approach, juristic democracy, emphasizes the role of the citizen rather than the nation-state as the source of legitimacy in international environmental law; it is rooted in local knowledge and grounded in democratic deliberation and consensus. The aim is to construct a global jurisprudence based on collective will formation. Building on concepts presented in their previous book, the award-winning *Global Democracy and Sustainable Jurisprudence*, Baber and Bartlett examine in detail the challenges that consensus poses for a system of juristic democracy.

Baber and Bartlett analyze the implications of deliberative consensus for rule-bounded behavior, for the accomplishment of basic governance tasks, and for diversity in a politically divided and culturally plural world. They assess social science findings about the potential of small-group citizen panels to contribute to rationalized consensus, drawing on the extensive research conducted on the use of juries in courts of law. Finally, they analyze the place of juristic democracy in a future "consensually federal" system for earth system governance.

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