



# The National Agricultural Law Center

*The nation's leading source for agricultural & food law research & information*

NationalAgLawCenter.org | nataglaw@uark.edu

## Agricultural Law Bibliography Updates

*First Quarter, 2022*

### **Administrative Law (Federal and State Farm Programs)**

Philbrick, Robert Brace and the Shifting Sands of the Administrative State, 61 NAT'L RESOURCES J. 19-60 (2021).

### **Animals — Animal Rights**

Schindler, Pardoning Dogs, 21 NEV. L. J. 117-160 (2020).

Lincoln, Aristotle and Animal Law: The Case for Habeas Corpus for Animals, 55 U. SAN FRANCISCO L. REV. 1-16 (2020).

Parker & Ortiz, Recent Developments in Animal Tort and Insurance Law, 2020 Annual Survey of Tort and Insurance Law, 55 TORT TRIAL & INS. PRAC. L. J. 133-162 (2020).

Kotzmann & Stonebridge, [There Is Value in Stating the Obvious: Why United States Legislatures Should Explicitly Recognize Animal Sentience in Their Laws](#), 30 CORNELL J. L. & PUB. POL'Y 425-476 (2021).

Shmueli, Law and the Laboratory: The British Vivisection Inspectorate in the 1890s, 46 LAW & SOC. INQUIRY 933-963 (2021).

## **Aquaculture**

Kibel & Gantenbein, Fisheries Reliant on Aquifers: When Groundwater Extraction Depletes Surface Water Flows, 54 U.SAN FRANCISCO L. REV. 473-516 (2020).

## **Energy Issues**

Klass, Energy Transitions in the Trump Administration and Beyond, 51 ENVTL. L. 241-266 (2021).

## **Environmental Issues**

Guim & Livermore, [Where Nature's Rights Go Wrong](#), 107 VA. L. REV. 1347-1420 (2021).

Symposium—Modernizing International Environmental Law: Honoring the Work of Professor Edith Brown Weiss, 32 GEO. ENV'T L. REV. (2020).

Panel 3: Reconceptualizing International Environmental Law  
[Magraw & Qin, Fifty Shades of Green](#) 467-484.

Osborn, [From Loon Lake to Chuckanut Creek: The Rise and Fall of Environmental Values in Washington's Water Resources Act](#), 11 WASH. J. ENV'T. L. & POL'Y 115-172 (2021).

Symposium Issue—Climate Change: It Takes Everyone, 44 WM. & MARY ENV'T L. & POL'Y REV. 701-744 (2020).

Grannis, Community-Driven Climate Solutions: How Public-Private Partnerships with Land Trusts Can Advance Climate Action, pp.701.

Local Government Law Symposium, 49 STETSON L. REV. (2020).

Henderson, The Greening of Florida's Constitution pp. 575-642.

Nosek, The Fossil Fuel Industry's Push to Target Climate Protesters in the U.S., 38 PACE ENV'T. L. REV. 53-108 (2020).

Adler, Translational Ecology and Environmental Law, 50 ENV'T. L. 703-770 (2020).

Gray, Harder & Bork, Implementing Ecosystem-Based Management, 31 DUKE ENV'T. L. & POL'Y FORUM 215-282 (2021).

Macpherson, The (Human) Rights of Nature: A Comparative Study of Emerging Legal Rights for Rivers and Lakes in the United States of America and Mexico, 31 DUKE ENV'T L. & POL'Y FORUM 327-378 (2021).

Allena, Blockchain Technology for Environmental Compliance: Towards a "Choral" Approach, 50 ENV'T L. 1055-1104 (2020).

Rowell, Regulating Best-Case Scenarios, 50 ENV'T L. 1105-1172 (2020),

Arlota, Does the United States' Withdrawal from the Paris Agreement on Climate Change Pass the Cost-Benefit Analysis Test? 41 U. PA. J. INT'L L. 881-938 (2020).

Choudhury, Climate Change as Systemic Risk, 18 VERKELEY BUS. L. J. 52-93 (2021).

Szigeti, A Sketch of Ecological Property: Toward a Law of Biogeochemical Cycles, 51 ENV'T L. 41-88 (2021).

Puno, Integrating Social and Environmental Safeguards in the Implementation of the Paris Agreement's Sustainable Development Mechanism, 51 ENV'T L. 205-222 (2021).

Petersmann, "I Wish There Was a Treaty We Could Sign": An Inquiry into the Making of the Global Pact for the Environment, 28 IND. J. GLOBAL STUDIES 7-80 (2021).

Ferrey, Climate Federalism: State Frustration of Federal Renewable Energy Entitlements, 39 VA. ENV'T L. J. 1-69 (2021).

## **Environmental Justice**

Welton, The Bounds of Energy Law, 62 BOSTON COLL. L. REV. 2339-2404 (2021).

Roesler, Racial Segregation and Environmental Injustice, 51 ENV'T L. REPORTER 10773-10784 (2021).

Ozmy & Jarrell, Of Sex Crimes and Fencelines: How Recognition of Environmental Justice Communities as Crime Victims under State and Federal Law Can Help Secure Environmental Justice, 38 PACE ENV'T L. REV. 109-146 (2020).

Qureshi, [Dimensions of Global Water and Human Security](#), 30 TRANSNAT'L L. & CONTEMP. PROBS. 63-98 (2021).

Symposium—Modernizing International Environmental Law: Honoring the Work of Professor Edith Brown Weiss. 32 GEO. ENV'T L. REV. (2020).

Talbott, Song & Alcorn, [Edith Brown Weiss as a Pathfinder: Strengthening Property Rights and Community-Based Resource Governance for Indigenous Peoples Worldwide](#), 533-568.

Slobodian, [Defending the Future: Intergenerational Equity in Climate Litigation](#), 569-590.

Kreilhuber & Kariuki, [Environmental Rule of Law in the Context of Sustainable Development](#), 591-598.

Todd, A Fighting Stance in Environmental Justice Litigation, 50 ENV'T L. 557-614 (2020).

Bertenthal, The Alchemy of the Public Interest. 32 YALE J. L. & HUMANITIES, 1-37 (2021).

Hirokawa & Riegel, An Ecosystem Services Approach to Cultural Resource Protection, 50 ENV'T L. 665-702 (2020).

Sassman & Jefferis, Beyond Emissions: Migration, Prisons, and the Green New Deal, 51 ENV'L L. 161-204 (2021).

Cartaya, [Resolving the Paradigmatic Gap between the Human Right to Water in a Transboundary Context, and the Transboundary Water Management Regime](#), 53 CORNELL INT'L L. J. 531-594 (2020).

## **Farm Labor**

### **Aliens**

Prifogle, [Rural Social Safety Nets for Migrant Farmworkers in Michigan, 1942–1971](#), 46 LAW & SOC. INQUIRY 1022-1061 (2021).

Viscusi & Marquiss, [A Regulatory Policy Strategy for Protecting Immigrant Workers](#), 51 SETON HALL L. REV. 933-982 (2021).

## **Food and Drug Law**

Levinson & Student Eisenback, Cooperative Principles and Fair Labor Standards: Volunteering for Food Co-Ops, 2020 MICH. ST. L. REV. 189-232 (2020).

Wilks, [Disturbing the Modern Plantation: How COVID-19 Is Reinforcing the Food Supply Chain's Function as a Social Sorting Tool](#), 30 CORNELL J. L. & PUB. POL'Y 539-586 (2021).

## 24 – **Hunger and Food Security Issues**

Symposium—Modernizing International Environmental Law: Honoring the Work of Professor Edith Brown Weiss, 32 GOR. ENV'L L. REV. (2020).

Tai, [In Fairness to Future Generations of Eaters](#), 515-532.

Note, ["I Am the River, the River Is Me": How Environmental Personhood Can Protect Tribal Food Systems](#), 38 WIS. INT'L L. J. 79-107 (2020).

Book Symposium—2021: Skimmed: Breastfeeding, Race, and Injustice by Andrea Freeman, 57 CALIF. WESTERN L. REV. (2021).

Hernandez-Lopez, Food Oppression: Lessons from Skimmed for a Pandemic 243-256.

Freeman, Skimmed Revisited 331-350.

Brito & Jonas, Breastfeeding, Race and Mutual Aid 257-278.

Harrison, Using Black Lives as If They Don't Matter: The Famous Four and Other Serious Stories of Capitalism and White Supremacy 291-302.

Gonzales & Desnatada, Latina Illumination of Breastfeeding, Race, and Injustice 303-318.

Capers, "And They Took My Milk!" 319-330.

Yearby, Employment Discrimination, Breastfeeding, and Health Justice 279-290.

## **Hunting, Recreation and Wildlife**

Keiter, The Emerging Law of Outdoor Recreation on the Public Lands, 51 ENV'T L. 89-160 (2021).

## **Land Reform**

McLaughlin, Conservation Easements and the Proceeds Regulation, 56 REAL PROP. TRUST & ESTATE L. J. 111-162 (2021).

## **Land Use Regulation**

McDermott, Monopolizers of the Soil: The Commons as a Source of Public Trust Responsibilities, 61 NAT'L RESOURCES J. 125-154 (2021).

Stahl, Home Rule and State Preemption of Local Land Use Control, 50 URBAN L. 179-212 (2020).

Garcia Sanchez, When Drills and Pipelines Cross Indigenous Lands in the Americas, 51 SETON HALL L. REV. 1121-1192 (2021).

## **Livestock and Packers & Stockyards**

Yearby, [Lack of Enforcement, Political Influence, and Meat and Poultry Processing Workers' Disproportionate Rates of COVID-19 Infections and Deaths](#), Pandemic Mini-Symposium: 35 A.B.A. J. Labor & Employment L. 41-52 (2020).

## **Public Lands**

Kisonak, Fish and Wildlife Management on Federal Lands: The Authorities and Responsibilities of State Fish and Wildlife Agencies, 50 ENV'L L. 935-972 (2020).

## **Rural Development**

Symposium Issue—Climate Change: It Takes Everyone, 44 WM. & MARY ENV'T L. & POL'Y REV. (2020).

Andrews & Reiblich, Reflections on Rural Resilience: As the Climate Changes, Will Rural Areas become the Urban Backyard? 745-776.

## **Water Rights: Agriculturally Related**

Qureshi, Water Resources in the Anthropocene: Cause for War or Cooperation? 30 MINN. J. INT'L L. 43-74 (2020).

Bork et al., Revisiting the Delta Smelt: A Rebuttal to Weiland and Murphy, 51 ENV'T L. REPORTER 10740-10744 (2021).

Schiff & Roper, The Hallmarks of a Good Test: A Proposal for Applying the "Functional Equivalent" Rule from *County of Maui v. Hawaii Wildlife Fund*, 38 PACE ENV'T L. REV. 1-52 (2020).

Rudolph, When Should Water Belong to the Public? 2019 MICH. STATE L. REV. 1389-1432 (2019).

Brandon, [Green Infrastructure: Strengthening Federal Policy for Flood Mitigation, Ecosystems, and Community Well-Being](#), 32 COLO. NAT'L RESOURCES ENERGY & ENV'T L. REV. 109-134 (2021).

Jaacks, [Let My People Go Fishing: Public Stream Access and Navigability on Colorado's Rivers](#), 32 COLO. NAT. RESOURCES ENERGY & ENV'T L. REV. 135-158 (2021).