

Legal Studies/Enviro Studies 430: Law and Environment, Prof. R. Keyser
Defining Your Research Topic

For your research papers, you may choose any topic you like, as long as it concerns environmental law and governance. Four general approaches to defining a topic are described below, which of course in practice overlap. You may prefer to pick a topic more intuitively or randomly, which is fine to get started. But even in that case, the approaches below should still be useful in helping you to define, narrow, and/or develop your topic analytically.

1) Place: The most obvious way of focusing your project is by picking a place. This can be a toxic site, a body of water, a mountain, park, wildlife area, forest, or other habitat, a town or city, a county or region, a state, or a country. Projects may be based anywhere in the world and at any time, though of course recent American projects probably make the most sense for most students (otherwise extra work or background may be needed). Focusing on Wisconsin or even more locally is also perfectly fine. In thinking about a geographical focus, it is often very helpful down the road (especially in order to develop your own argument) to compare and contrast two different sites, places, states, etc.

2) Type of Environmental Impact: Along with geography, perhaps the most common approach to research in environmental governance begins with an interest in a type of environmental problem, including such areas as: natural resource conservation or preservation (mountains, forests, agriculture, prairies, oceans, lakes, rivers, wetlands, etc.); pollution (air, water, recycling, sewage, other wastes, pesticides, plastics, toxics, etc.); polluted sites (superfund sites, brownfields, landfills, and others); biodiversity (endangered species, habitat preservation, etc.); or climate or other ecosystem change of any kind.

3) Type of Human Activity: You may choose to focus your project on particular (economic) sectors of human activity, including recreation (parks, trails, off-road vehicles, etc.), agriculture, CAFOs and other issues with livestock, forestry, mining, manufacturing, plastics, motor vehicles, energy (biomass, fossils, hydro, solar, other renewables, nuclear, etc.), drinking water, food industry, urban environmental problems, suburban sprawl, smart growth, etc.

4) Type of Legal or Governance Problem: Given the theme of this class, perhaps the most important questions to keep in mind (at least once you have begun learning about a topic) concern law or governance. How are the norms or rules made for the particular place, problem, resources, or activity you are examining? Who makes these rules and how are they enforced? **Overall, how effective is governance in the area you study?**

More specific governance issues might include: commons governance; environmental justice; local, state, federal, or international legislation; federalism (state-federal relations); administrative law; public and NGO advocacy; law enforcement; litigation; judicial decisions, or a particular court or court system; a particular law, regulation, or influential court case; a particular administrative office at a particular level of governance (municipal, county, state, or federal), etc. For many of these governance issues, a compare-and-contrast approach will often be very helpful to your analysis.